the SHADOW

INFORMATION IS STRENGTH • KNOWLEDGE IS POWER

CITY WRECKS FIFTH ST. SQUAT AFTER MINOR FIRE

By Steven Wishnia

At 4:30 PM on Monday, February 10, a city-hired wrecking crane punched a hole in the fifth floor of the squat at 537-539 East Fifth Street. The scooper swung back and slammed into the sixth floor, battering open another hole more than ten feet wide.

The building wasn't empty.

Squatter Brad Will was still inside, where he'd been hiding ever since the city demolition crew arrived on the block at 9:00 that morning. They had already tried to knock the building down earlier that afternoon with him inside, chomping off half of the parapet before Will emerged onto the roof. When police couldn't find him, they started again.

"It was fuckin' scary, man," said Will, a 26-year-old bicycle messenger who had been living at 537 for two years. "I could feel the walls shake. I clung to the walls and started crying because it was a *strong* building and it was a shame to tear it down. I loved that building."

Will told the SHADOW that police saw him on the roof both times while the wrecking ball was swinging, but the demolition didn't stop until he showed himself to the workers in the street. He was arrested and charged with reckless endangerment and three other misdemeanors.

The 26 displaced squatters are now suing the city for contempt of court and $2.6 million in damages. As the wrecking ball was crashing into the building, lawyer Jackie Bukowski was in court, trying to get an emergency order to stop the demolition. The city's lawyer, Arthur Shaw, was notified at 2:00 about a 3:00 hearing and he showed up at 4:30.

By 6:13 PM, when State Supreme Court Justice Barbara R. Kapnick

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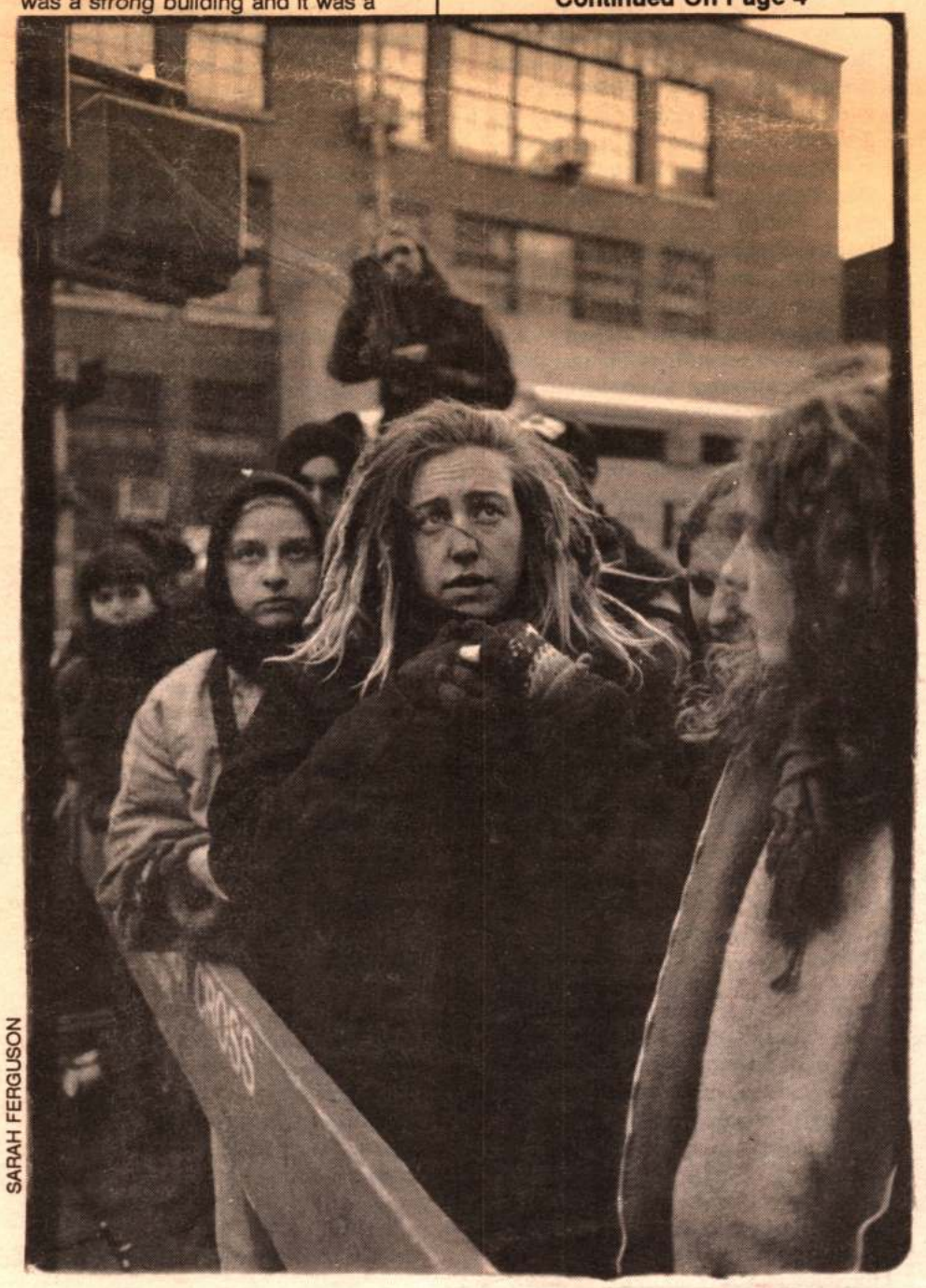

SARAH FERGUSON

SQUAT RESIDENTS WATCH THEIR BUILDING DISAPPEAR

NEW YORK CITY PARTNERSHIP INVADES LOWER EAST SIDE

Yuppie Condos Threaten Gardens and More

By Samuel Delany

The disquieting drone of bulldozers could be the soundtrack for this summer if a so-called "middle-income" development scam by the New York City Housing Partnership is allowed to go through. Partnership plans to build nine, four-story condominium buildings on East 10th and 11th Streets between Avenues A anc C, containing 98 two- and three-bedroom duplex apartments, fronted by 12,800 sq. ft. of commercial space. Another 65 duplexes are slated to be developed on Suffolk Street. Construction could begin as early as "mid-summer," according to sources within the Department of Housing, Preservation and Development (HPD).

The Partnership plan would eradicate several well-established neighborhood gardens, including the Chico Mendez Mural Garden at 11th and A (named after the Brazilian rainforest martyr); the 10th Street Garden between B and C; and the Rodriguez Community Garden on Suffolk between Rivington and Stanton, one of the only green spaces in a very densely populated area south of Houston.

And that's just the beginning. Those friendly neighborhood sell-outs on Community Board 3 have invited Partnership to build their homogenized "townhouses" on as many as 22 sites on the Lower East Side, in the process wiping out as many as a dozen other community gardens. The result would irrevocably alter the landscape of the LES, not just in the loss of green, open space, but through the imposition of what is essentially low-rise, yuppie housing aimed at further displacing the poor.

Partnership claims the duplexes, priced between $120,000 to $160,000, are designed for families earning up to $71,000. While the market value for these units is much higher, Partnership offsets the construction costs of the units with state and city subsidies. Yet even at those subsidized prices, housing experts say when you add up the monthly maintenance and mortgage fees, any neighborhood people earning less than $70,000 would be hard-pressed to afford these units.

While there are resale restrictions to discourage owners from speculating on their units, after 25 years, prices could go sky-high.

The Partnership invasion of the Lower East Side constitutes the final phase of the Cross-Subsidy scam negotiated between Community Board 3 (CB3) and HPD. Under this agreement, brokered during the Koch Administration, the city allowed non-profits to develop vacant buildings on the Lower East Side for low and moderate-income housing, in exchange for the right to sell off all the vacant lots (i.e. Gardens) for market-rate housing. But the market-rate component stalled when the real estate market bottomed out in the late 1980s, and no developers wanted to finance new construction.

Now, with gentrification surging, both CB3 liberals and the conservative appointees of Councilmember Antonio Pagán are pushing for the Partnership's "middle income" condos as a supposed alternative to flat-out market rate housing. Pagán's cronies, who have long argued that the neighborhood is "oversaturated" with low-income people and social service centers, say middle-income housing would shore up the "tax base and stability" of the LES. But, a brief look at the history of the NYC Partnership and its "urban renewal" philosophy suggests anything but stability.

The New York City Partnership was founded in 1982 by David Rockefeller, the great financier whose development machinations in the 1980s led to the dismantling Manhattan's manufacturing base--the rail freight yards and docks, the source of blue-collar employment --in favor of a glut of office space for New York's finance, insurance and real estate industries (i.e., the rich). In a sense, the Partnership was conceived as a vehicle for the privatization of public housing and urban resources heralded by Ronald Reagan.

Having absorbed New York's Chamber of Commerce, the Partnership has become one of the most influential non-governmental bodies dictating housing and economic development in the city today. It's members include the top executives of New York's major corporations and institutions.

The New York City Housing Partnership is a subsidiary of the New York City Partnership. It is currently the largest builder of privately financed low- and middle-income housing, having leveraged more than $1.5 billion to construct 13,000 homes and apartments in 50 low-income communities across the five boroughs over the past decade.

While that might seem like a laudable effort, Partnership's development agenda is rooted in Rockefeller's philosophy to "de-densify" the poor through what urban specialists like to call "planned shrinkage." Why, you might ask, is the Partnership putting up four-story condos on the LES, when most of the housing stock here is five or six stories?

In fact, Partnership's notion of urban renewal is based on building suburban-style, low-density housing. At a time when the city is hemorraging under one of the worst housing crises in the nation, this corporate behemouth has devoted itself to constructing white-picket fenced ranch houses and two- and three-family homes all over the Bronx, Harlem, East New York, Williamsburg, Staten Island--

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EDITORIALS

SCARE STATE SENATE SCUM: *SAVE OUR CITY!*

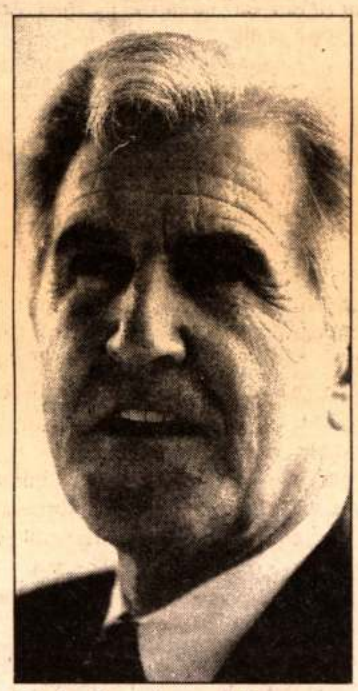
By A. Kronstadt

BRUNO THE BEAST

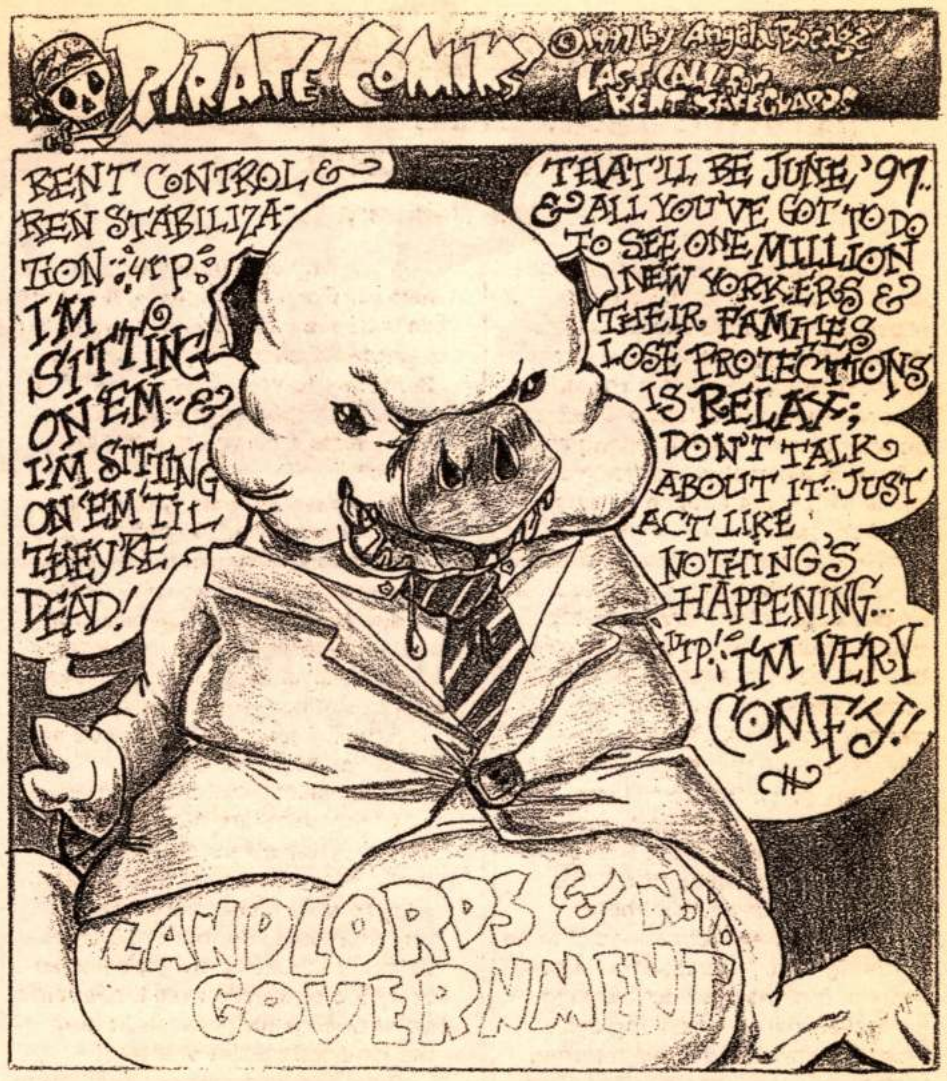
On Monday, March 31, the New York State Senate voted by a margin of 33 to 27 not to begin discussion on a bill to renew New York State's rent regulations, which expire on June 15, 1997. The corresponding bill has already been passed by the New York State Assembly, but requires a majority vote in the Senate because, unlike other laws, the New York City rent regulations must be renewed every two years. A law extending rent regulations was also passed by the New York City Council on March 25, but this has no force without a similar vote by the State Legislature, as New York City is not permitted by the State Legislature to make its own rent laws. The New York rent regulations, in one form or another, have been in effect since 1948 and protect two and one half million tenants in New York City from evictions and excessive rent increases. This year, however, the picture has changed, mostly through the efforts of one man, State Senate Republican Majority Leader Joseph Bruno. This time, indeed, it is personal, as Bruno tests his ability to form a Republican machine in Albany to replace the Democratic one that departed with Mario Cuomo. Bruno began his campaign against the rent laws with a December 15 speech before a landlord group at the Sheraton Hotel in Manhattan, where he vowed that the laws would not be renewed. Bruno is using his overwhelming power as majority leader to blackmail Republican State Senators into backing his measures. Bruno is capable of denying choice committee assignments to Senators who defy his authority; the Majority Leader also has the power to withhold essential funding for roads and other public works from dissident Republican Senators' constituencies. Hence, the landlords have placed their faith in this Caesar-like authority to destroy New York's rent regulations at a point where New York rents have soared to their highest levels in history.

PUSSILANIMOUS POLS NEED PRESSURE

All but two of the thirty-five Republican members of the Senate voted Bruno's line. Two Republicans, both representing New York neighborhoods with many apartment dwellers, voted against their leader to bring the rent regulation bill to the Senate floor. These were Roy Goodman, Senator from part of Manhattan's East Side, and Frank Padavan of Queens. Neither Goodman nor Padavan made a speech or said anything to defend rent regulations in general. Two Republicans with a lot of tenant constituents voted against bringing rent regulation to the floor, but paradoxically said that they supported the renewal of the rent regulations, telling reporters that they did not want to vote against Bruno. The word from Senator Serphin Maltese, Republican and Right-to-Lifer from Queens who also voted with his lord and master, answered with doubletalk, saying that the bill did not mean anything because it was just a "procedural measure." State Senator Guy Vellella, who represents a district in the Bronx with 40,000 rent regulated tenants, voted with Bruno and told the press "Senator Bruno told me to do what I thought was right to do." Several other Republican Senators from the New York area voted against rent regulations and remained silent. All of these pols are being heavily targeted for constituent pressure by tenant activists and have been forced, for the most part, to refrain from committing themselves on the issue of rent control, even though they have voted with Bruno out of fear. If they are this susceptible to a little pressure, they might be very susceptible



State Sen. Joseph Bruno


PIRATE COMIX
RENT CONTROL & RENT STABILIZATION :-P
I'M SITTING ON 'EM & I'M SITTING ON 'EM 'TIL THEY'RE DEAD!
THAT'LL BE JUNE, '97.. & ALL YOU'VE GOT TO DO TO SEE ONE MILLION NEW YORKERS & THEIR FAMILIES LOSE PROTECTIONS IS RELAX; DON'T TALK ABOUT IT.. JUST ACT LIKE NOTHING'S HAPPENING... :-P I'M VERY COMFY!
LANDLORDS & NY GOVERNMENT
A. BOCAGE

to more. Hence, we advocate that *SHADOW* readers express themselves in any way they can to press these bland and cowardly men to do what is right. The names, street addresses, phone numbers, and E-mail addresses of key State Senate pols are included below. Use them wisely.

NYC POLS WASH THEIR HANDS ON RENT CONTROLS

Though Bruno lives in far north Renssalaer county where the moose run free and men from New York City live in cages, he has his allies right here in Gotham. One of them is City Councilman Antonio Pagán, of the Lower East Side. This ratfink, who sent out letters to constituents who wrote to demand that he represent them in the struggle to preserve their homes, saying that he had been the co-sponsor of "two important pieces of legislation drafted to protect...rent regulations--the one that extends the current rent stabilization law and the one that recognizes the continuation of the housing emergency."

Anthony [I'm a good Puerto Rican] Pagán, under the cover of supporting the routine provisions of rent control that no City politician would ever dare not support, actually hindered efforts to strengthen rent regulations by reinstating them for apartments renting for over two thousand dollars per month. As a member of the influential Housing Committee, Pagán supported efforts within that committee to table amendments offered by Councilmember Virginia Field of Harlem and Councilmember Stanley Michel, that would have strengthened rent regulations by getting rid of "luxury decontrol" a measure introduced in 1994 that weakened rent regulations. Instead of forcing wealthy tenants to pay their "fair share of the rent," luxury decontrol mostly affected multibedroom apartments with middle class roomates and resulted in a great deal of displacement. Pagán's letter to the concerned citizens who had humbly petitioned him ended with: "although the final decision will be made at the State level, I believe the City's strong stand on rent regulations will send a strong message to those legislators"--in other words, "I've done as little as I can for you and it isn't up to me anyway."

REPORT FROM CITY HALL

Pagán, whose carefully coiffed visage once graced the front cover of the newsletter of the Rent Stabilization Association (the oxymoronic name for NYC's landlord lobby) sucked up to the landlord lobby on every flank. As chairman of the Abandonment, Foreclosure, and Disinvestment Subcommitte of the City Council and a member of the Council's Housing and Buildings Committee, Pagán exchanges large volumes of bodily fluids with landlords. On March 25, Pagán strutted up and down the aisles of the Council, passing notes and putting his arm around the shoulders of his fellow councilpersons. About 500 tenants waited on line for over ninety minutes outside. At two o'clock, about fifty of us were allowed into the gallery to witness the work of the important men below. Inside already were about 50 landlords who had apparently been allowed into City Hall via another entrance. The crowd of tenants on the steps of City Hall was an amicable scene: hippies mingled with Harlem churchladies; an old well-dressed guy from the West Village eyed the windows of City Hall and asked if anyone had a brick. Only a fraction of the crowd, however, ever got near the proceedings. The tenants who were allowed to enter were passed through a metal detector, which made the wait interminable, and were surrounded by guards as speeches were given on the Council floor. The Council was overwhelmingly in favor of rent regulations. To keep a long story short--Stanley Michaels, Virginia Fields, Tom Duane, Enoch Williams, and a couple of other pols gave good speeches in favor of rent regulations. Fields even said that New Yorkers "will defend themselves" if faced with the loss of their homes. A couple of influential councilpeople who are closer to Speaker of the Council Vallone gave watered down speeches expressing perfunctory support for the rent regs; Vallone echoed Pagán in emphasizing, several times in his speech before the Council, that the final decision would be "made at the State level," thereby covering his landlord and tenant flanks at the same time. As a final insult, Pagán wheeled and dealed to postpone the

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INFORMATION IS STRENGTH
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SECESSION NOW!

FOR THE INDEPENDENT CITY-STATE OF NEW YORK!

By Bill Weinberg

Saying this will probably get us put on a list of potential pro-rent regulation terrorists and assassins. But it is time for extreme measures in the battle to save New York City's rent regulations. We are not talking about violence. We are talking about a legal movement calling for measures which just happen to be beyond the pale of what is currently considered respectable opinion.

It is high time that our notions of respectable opinion were radically altered. We're sick to death of all this feel-good free-market landlord propaganda. The rent laws were passed for a REASON. It is absolutely obscene that decontrol is even an issue, given that homelessness has been at crisis proportions in this city for at least 15 years. Remember back in the '80s when "the homeless" was a fashionable liberal issue? Now we're all supposed to be suffering from "compassion fatigue" and the legions of street-dwelling refugees from rent-gouging and "planned shrinkage" have returned to their conveniently invisible status. But we tenants are going to have some heavy karma to pay for this insensitivity and betrayal of human solidarity.

Look at how much ground we've lost. "If you can't afford to live in New York City--move!" is the message, succinctly summed up by our former Mayor Ed Koch. Fuck that! This is OUR city! Let Disney and Starbucks decamp for California and Seattle! The same with those damn Hollywood crews that are setting up shop all over the sidewalks of the East Village, treating the surly locals with undisguised contempt. What an insult!

How do we fight back? Two suggestions:

1. A credible threat of a city-wide universal rent strike if the tenant protection laws are at all eroded in Albany. Start organizing your tenant strike committee now!
2. A movement for the Greater Metropolitan Area to secede from Upstate. Why should Joe Bruno and his minions get to vote on OUR future?

If New York State is going to gut New York City's rent regulations, New York City should secede from New York State. We are NOT the constituents who Joe Bruno has to answer to in the voting booth. Therefore, our opinions mean nothing to him. However, the landlords who oppress us are free to lobby Joe Bruno and his ilk--and make donations to their campaigns (with our own rent money, no less!). This is inherently unjust.

It is criminal that they got away with rent deregulation in Boston, where in 1994, Massachusetts voters decided in a referendum to do away with all rent protections statewide. Since then, Bostonians have been paying the price. The Boston Herald reported on Dec. 26, 1996: "Mayor Thomas M. Menino yesterday blasted 'greedy' landlords who have begun issuing 'astronomical' rent increases to elderly tenants about to lose their rent control protections. 'We're hearing about $1,000 [a month] rent increases for elderly couples....' said Menino."

Now, why should someone in Amherst or Great Barrington get to vote on the lives of Bostonians, we'd like to know. Similarly, why should Joe Bruno get to vote on the lives of all us Jews, Negroes, faggots and welfare-cheats down here in the Big Apple?

A new housing study, commissioned by the Rent Stabilization Association (RSA), an Orwellianly-named landlord group which seeks to do AWAY with rent stabilization, finds that if rent regulations were abolished, rents in stabilized apartment buildings would rise as much as 51% in some neighborhoods and as low as 5% in others.

The assumptions and methodology of the study are being questioned by tenant activists because the purpose of the study was ostensibly to allay fears of even greater rent increases. So the rent increases listed by the study are probably entirely too optimistic from the tenant's point of view (or pessimistic from the landlord's point of view).

Even these increases would mean the difference between precarious month-to-month housing and eviction for countless families. Households which are now one pay-check away from eviction would be pushed over the edge.

If we can't afford to live in New York, move? Where are we supposed to go? All those upstaters who support rent deregulation because they think we are all whining minorities looking for a hand-out certainly wouldn't want us moving into THEIR backyards! A few letters making this point from NYC residents with obviously "ethnic" last names to the newspapers of Albany, Kingston and Rochester might be appropriate. And don't forget Rensselaer, Bruno's home turf.

Joe Bruno showed his true colors in the 1994 budget battle in Albany, when he attacked those he sees as truly responsible for breaking the state's budget: "It is the lowest-income people. It's the blacks, the Hispanics, and I only say that because look at the numbers... 90 percent of those people support him [meaning Assembly Speaker Sheldon Silver of the Lower East Side]... Why? Because they are people that got their hands out. They are the ones fighting for welfare."

The damned impertinence and arrogance (not to mention undisguised racism, anti-Semitism and homophobia) of these upstate politicians! They demonize us to their constituents as a bunch of whiny minorities with our hands out! Meanwhile, who is raising the lion's share of the tax revenues for Albany's budget? It sure as hell ain't Buffalo!

What interest do we have in sticking with New York State any longer? Let's see how long they can get along without us. The rent struggle could provide the spark for the secession movement. Let the City Council pass new, MORE restrictive legislation if the state rent regulation law is allowed to sunset. Let Albany try to fight it in the courts if they so choose. If Albany wins in the courts, we secede!

From the USA, if need be.

(To join our list of endorsers, call 212-631-1115)

RENT LAW DEMONSTRATORS HIT CITY HALL 3/26/97 P. LEVASSEUR

SAVE OUR CITY....

vote on the rent laws until two hours after the end of the floor discussion, with a lot of incredibly boring council business in the middle. As few tenants expected to have to sit there all day, the gallery was almost empty when the final vote was taken. Of course, it was a foregone conclusion because the City Council members, even boneheads like Vallone and Pagán, had nothing to lose by voting for the rent regulations because the State Legislature makes the final decision, but everything to gain because no politician threatens to evict his own constituents.

THE BIG PICTURE

What we face in New York City today is an impending total rearrangement of our surroundings, the final objective of which is the total displacement of ourselves. The impending abolition of rent regulations, combined with public housing "reform" measures amounting to the eviction of a substantial percentage of housing project tenants, are the culmination of a fifteen year government effort to reshape the urban landscape from a human habitat to a high-turnover slot machine in the global casino. Picture a New York City without New Yorkers, where all of the neighborhoods are but hotels for those who have come to reap big bucks in the big apple.

What about the thousands of human beings with their economic fortures suddenly changed as the landlord is allowed to reap two or three times the rent that they are paying now? What about the thousands of people who will be displaced to far-off suburbs? What about the pets that will have to be slaughtered, the city kids whose spirits will wither in bleak suburban landscapes? Does Joseph Bruno, the State Senate Speaker who has vowed that New York City's rent regulations will be renewed this June 15, "over his dead body," know or care what he is doing to us?

Is there anything encouraging at the State level? Well, it is said that Bruno is receiving death threats. Although the terms of the anti-Terrorism and Death Threat Act of 1996 force the *SHADOW* to swear solemn opposition to all death threats, death threats have proven to be effective in a number of notable cases. Perhaps without quite threatening to kill them, let us all be sure to remind the following pols how much people in New York City enjoy living in their home town and how mad they will be if they get evicted from their homes. Remember, these New York area Republicans all admitted that they voted against your rights as a tenant for fear of a political paddling by Joe Bruno, yet they claim to support rent control. So let's scare them into representing us for real. Don't ask 'em, tell em':

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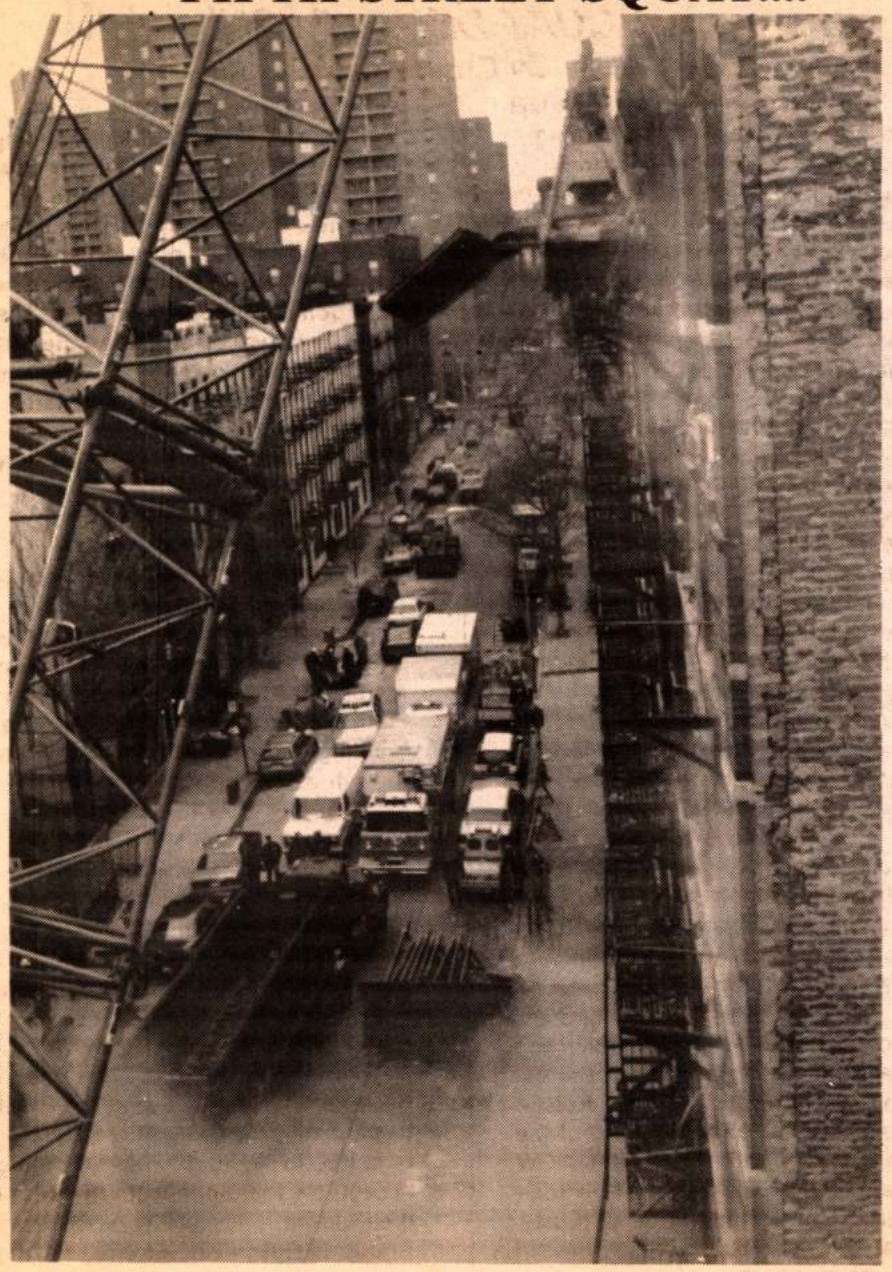
FIFTH STREET SQUAT....



SARAH FERGUSON

issued the order, most of the building's right front quadrant was already down, and work didn't stop until 6:40. At 6:55, the wrecking crew started tearing down 535, a vacant building next door, just as Bukowski arrived at the scene. When she showed the court order to police, she was hustled away from the barricades and almost arrested.

"You are in violation of the law. Do you understand?" she told Ninth Precinct Captain Flores.

"I hear you," he responded. Demolition continued.

The next day, Judge Kapnick issued an order barring both the city and the squatters from touching what remained at the site, neither what was left standing of 537-539 and 535 nor the rubble that many of the squatters' possessions were buried in.

Demolition continued that night. "That crane was in full effect," one witness said. "The whole block was sealed off. It was nothing but police. The whole place was lit up like daylight." The demolition of 535 broke windows and knocked holes in the wall of the occupied building at 533 next door. Two weeks later, the site had been scraped clean, with nothing left but a few piles of bricks.

City officials maintained a stone wall about the demolition. Is it standard procedure to knock down buildings when there's still someone inside? "An inspection was conducted before the demolition and no one was found," responded Sheila Green, a spokesperson for the city Department of Housing Preservation and Development. Mayor Giuliani's office refused to comment, referring calls to police. "I don't know what happened," said police spokesperson Olga Mercado. Why did the demolition continue after two court orders to stop it? "We have been acting consistently with the court order," said Assistant Corporation Counsel Gail Rubin. "The matter's in litigation and we don't think it's appropriate to comment further."

The demolition was set off by a fire in the squat on Sunday, February 9, which started, ironically enough, in Brad Will's second-floor apartment, apparently from an electric space heater. (Will now says the fire was suspicious.) Squatters say the Fire Department let it burn before putting it out. "I did not witness them pouring any water for approximately 20 minutes to a half hour," building resident Garth Wood testified at a February 11 court hearing. The fire burned out rooms on the second through sixth floors of the building's left front quadrant.

Nevertheless, the rest of the building was undamaged. Residents say both firefighters and police at the scene told them they could get back in to retrieve their possessions the next morning.

They waited outside all night, wrapped in Red Cross-issued blankets against the 20-degree cold. But the Giuliani administration moved into action immediately. By 9:00 the next morning, the city Buildings Department had declared that 537-539 East Fifth Street was in imminent danger of collapse, and an HPD-hired wrecking crane was rounding the corner of Avenue B, protected by riot cops.

City officials at the scene refused to let squatters go into the building to get their belongings. Instead, police herded them into pens on the south side of Fifth Street, and they handed over hastily scribbled lists of possessions to city workers. The workers carted out random chunks of people's lives: two milk crates full of P-Funk records; a half-dozen bicycles and three battered TVs; a woman's stretchy silver top; a cheap old electric guitar and a Fender; a white-pearl drum kit and an ancient IBM-clone computer; black plastic garbage bags full of clothing; and a few boxes of books, from a lesbian philosophy tome to a James Bond novel.

Most people's stuff was left inside. Jason Fitzsimmons says he lost several hundred albums, two basses, and his turntables and DJ gear. Heidi Fuhr says she got nothing. One woman said her ID and clothes were still inside, but she was more upset about losing her collection of Star Wars toys. "I've been collecting it since I was a little kid," she said.

Others were not allowed in to rescue their cats. Squatters Nate McDonald, 19, and Roger Varela, 25, were arrested when they tried to enter the building to retrieve the bodies of Varela's two dogs, who died in the fire. The Red Cross left the scene in disgust, refusing to collaborate with the eviction.

At 1:20, the crane began ripping 537-539's fire escape off. Brad Will was still inside. Squatters on the street screamed his name. "C'mon Brad! Brad, show your face! BRAD! BRAAAD!" Police ignored them. The crane whirred and rotated. At 1:25, it chomped off the first piece of the parapet, dropping bricks six stories down into the garden next door. Police shoved the protesters down the block, away from the building. Five minutes later, Will emerged onto the roof, straddling the remaining parapet triumphantly to shouts of "You fuckin' rule, Brad."

Demolition stopped, and Will disappeared inside about 15 minutes later. The crane lifted a search team of Emergency Services Unit cops up to the roof, while the riot cops downstairs pushed protesters and press people off the block, continuing the no-witnesses policy of past evictions. At 4:00, the demolition resumed in earnest, to shouts of "You trying to fuckin' kill him?" Will re-emerged five minutes later, waving to the protestors. He was arrested almost immediately--but had time, he said, to get off a quick "Fuck Giuliani!"

As police handcuffed him, pulled his hands over his head, and slashed open his pockets, Will says, he told them he wasn't resisting arrest. "I wish you were resisting," one officer replied. He was charged with resisting arrest, reckless endangerment, criminal trespassing, and obstructing governmental administration.

Squatters say that the Buildings Department inspector who arrived at 537-539 after the fire never went inside. "They didn't go in the freakin' building," said squatter activist Shawnee Alexandri. "They got out of the car, said 'Tear it down,' and left."

Buildings Department spokesperson Steve Hess said he didn't know if the inspector went inside, but was "sure he did." The order to demolish the building was signed by Ron Livian, Manhattan borough commissioner, on Monday morning. Hess wouldn't release the actual report, calling it "in-house information," but said the building's floors had collapsed and that it had makeshift ladders instead of staircases. He said he wouldn't comment on why the demolition continued after the court order, but speculated that it might have been dangerous to stop in the middle of the demolition.

Several witnesses dispute those claims. Even after the front wall of the fire-damaged section had been torn off on Monday night, the floors were still in place. Squatter Heidi Fuhr, who was watching the demolition from the building next door, testified on February 11 that squatters had rebuilt the stairs with concrete and metal pans, and that she had seen a police officer try to smash them with a sledgehammer. She told the court that "the sledgehammer bounced off the iron casing" without causing any damage.

Police denied outside experts access to the building on the afternoon of February 10 before the demolition was underway. "We had our engineer at the scene and they wouldn't permit him to look at the building," said Joe Center of the People's Mutual Housing Association, a neighborhood nonprofit group that had planned to redevelop both buildings.

They also barred John Shuttleworth, an architect called by the squatters. He testified on February 11 that the exterior walls didn't give any indication that the building was likely to collapse, and that when the facade was ripped off, he couldn't see any damage to the floor joists. Though 537-539 was not technically fireproof under the 1968 building code, he said, its design--a cross-shaped brick "demising wall" that divided it into four quadrants--effectively confined the fire damage to one section.

The building was one of the Lower East Side's oldest squats, founded in 1982. Jimmy Stewart, one of the original squatters, still lived there. It became heavily populated in 1985 or 1986, and was evicted by HPD. But Stewart and others re-entered it on New Year's Day in 1986 or 1987. "We weren't hitting champagne, we were hitting the bricks," recalls longtime squatter activist Jerry "Jerry the Peddler" Wade. According to building residents, Stewart and a few others had occupied it continuously since then, long enough to qualify for adverse possession. However, they kept it small and low-key until early 1994, when they took in

Continued On Next Page

SPENCE

SQUATTERS WAIT FOR RETURN OF THEIR BELONGINGS

FIFTH STREET SQUAT....

squatters displaced by the eviction of Glass House on Ave. D.

The newer residents were predominantly younger artists and activists. Most worked part-time jobs, says Will, because "the house was a full-time job." Corinne, a 25-year-old painter, had moved in six months ago after being evicted from a sublet in Williamsburg. Lien, 21, had arrived from the Netherlands three months ago. "If it wasn't for the squat, I'd still be sleeping outside," said Jen, a 23-year-old bartender who was homeless when she moved in two and a half years ago. Jason Fitzsimmons, 25, a musician and DJ, had lived there for a year and a half. He moved in after losing a Brooklyn apartment when his roommate didn't pay the rent, but said the squat provided a community as well as affordable housing.

Whether or not Mayor Giuliani knew it, his troops were destroying one of the Lower East Side's most politically active squats. Two of the five people arrested in a January 16 chain-in to protest the planned eviction of the ABC No Rio community space lived in the building; another resident was one of the 30 people jailed in August 1996 when police broke up a Tompkins Square Park demonstration against the 13th Street Squat evictions. They had also recently started a women's health group and a coffee-house called the Fifth Street Café.

The demolition also appeared to dash the People's Mutual Housing Association's plans for the two buildings. The PMHA had lined up almost $3 million in federal and state funds to redevelop the buildings into 29 units of low-to moderate-income housing. Most would have been rented to families making between about $17,000 and $23,000 a year, said Joe Center; some would have rented to slightly more affluent tenants at $600-$700 a month in order to subsidize six apartments reserved for homeless families at the $286 a month welfare maximum.

Center claims that the building was empty when PMHA began negotiating with HPD for it in 1994. He says his group wouldn't have tried to evict an established squat. However, he also offers the standard anti-squatter party line, calling the Fifth Street residents "a self-proclaimed elite" denying housing to the truly needy.

HPD, he said, "could have done things to protect the buildings," but rushed to demolish them "because of fear that the squatters would go back."

Jerry McCarty of the Mayor's Office of Emergency Management told legal activists at the scene that the city was willing to absorb any lawsuit resulting from the demolition. He denies that the Giuliani administration had any political motives. "We are demolishing a building that's unsafe," he said. "The City of New York doesn't want to see anybody get hurt."

Yet the city has used safety as a pretext to evict squatters several times before, most notoriously on East 13th Street in 1995. In 1989, the Buildings Department used a rainstorm to declare 319 East Eighth Street in imminent danger of collapse. The squatters won a court order blocking the demolition, but the city got a late-night ruling overturning it and began tearing the building down at 1:00 AM.

The Giuliani administration's professed concern for tenants' safety is especially hypocritical, says Kenny Schaeffer of the Metropolitan Council on Housing, as HPD has essentially abandoned enforcing its regulations against private landlords since Giuliani took office. "It's ironic that the city has the resources to do this on such short notice when it doesn't have the resources to do code enforcement on regular buildings." he said.

HPD cut almost two-thirds of its housing inspectors between 1989 and 1994, attempting to replace them with a program where landlords and tenants would tell the department whether or not violations had been corrected. The West 144th Street building which collapsed in 1995 had thousands of violations listed on HPD's computer; some had been counted as corrected because Spanish-speaking tenants hadn't returned English-only response forms in 1994.

Squatters have filed a motion to have the city government held in contempt of court for ignoring the orders to stop the demolition. "We're working to show max damage," Jackie Bukowski told a group of squatters and supporters outside court on February 11. "The building's gone. Let's document this. We have to find ways to hold them in contempt." They are also suing the city for $2.6 million--$100,000 per person--in damages for violating their constitutional rights.

The main issue now, said Harvey Epstein of the National Lawyers Guild, who is assisting Bukowski with the case, is to draw political attention to the Giuliani administration's "flagrant disregard for the rule of law" in their rush to oust the squatters and obliterate the building.

INTRIGUE SURROUNDS FIFTH STREET SQUAT DEMOLITION

By Chris Flash

In the months before the "suspicious" fire that led to a lightning quick illegal demolition of their building, the Fifth Street squatters were preparing to do battle with a housing group that was seeking to take their squat and the vacant building next door. People's Mutual Housing Association (PMHA) claimed that the squat was empty as they tried to get the buildings from HPD, though they knew otherwise.

The squatters, who were in residence since 1982, had made major repairs to their building in recent years. PMHA could have co-operated with the squatters by letting them keep their building and taking over instead the vacant building which needed repairs too major for the squatters. Collectively, they could have made both buildings successful low-income projects. But instead, PMHA decided to take everything, with the city's help.

This divide-and-conquer strategy worked to the benefit of the city, which then stabbed PMHA in the back (no honor among thieves) by quickly demolishing both buildings after the minor fire of February 9.

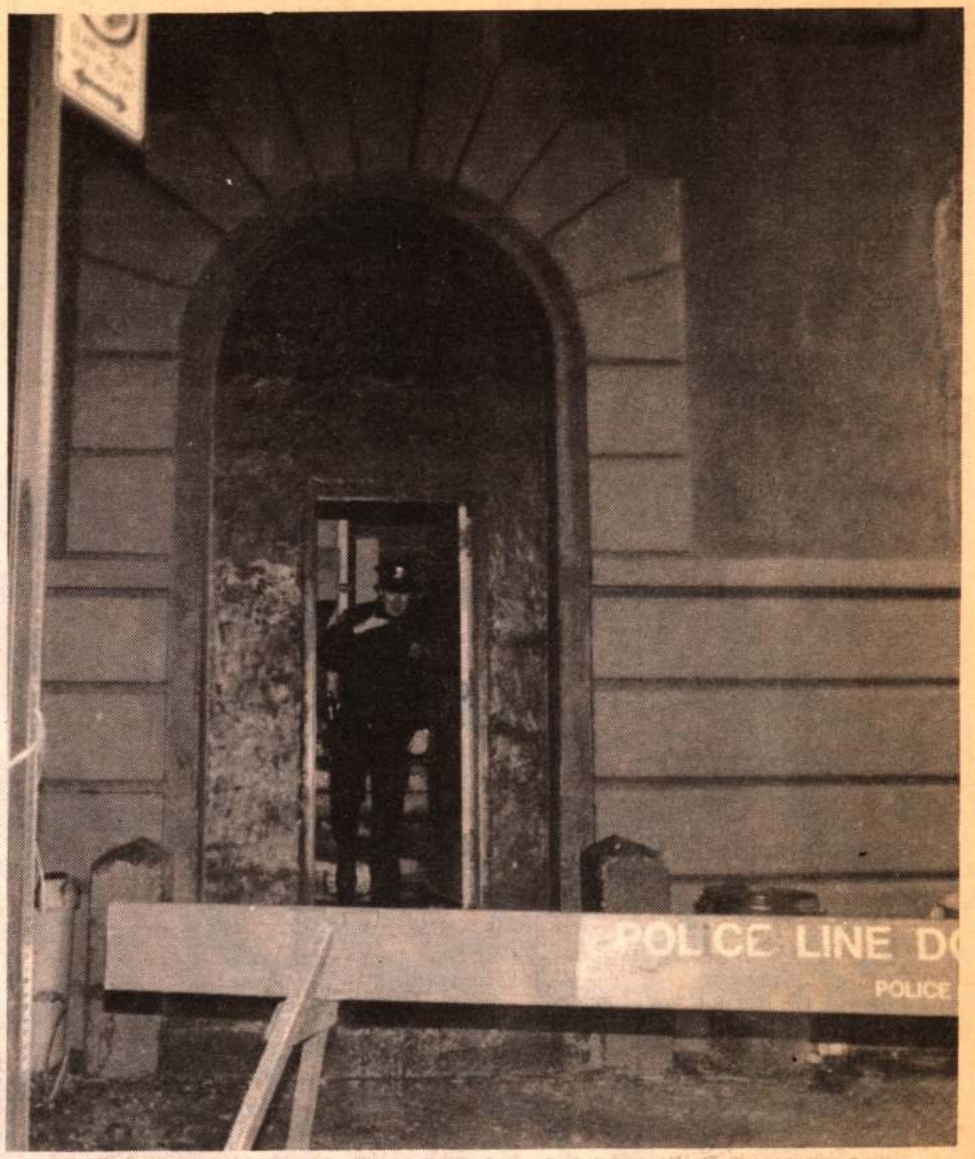
Many people wonder why the city moved so quickly to demolish, especially when they had a city-approved housing group standing by to take the buildings, as in the case of the Thirteenth Street squats. SHADOW sources theorize that the buildings had the misfortune of being located less than one block from Avenue A, where real estate values are booming, and of having a vacant lot bordering the squat. The result is a brand new ready-to-build three parcel lot prepared by the city for a politically-connected real estate developer.

Considering his hostility toward squatters and his rivalry with housing groups other than his own "Lower East Side Coalition Housing Development," many wonder if city councilman Antonio Pagán isn't somehow involved in the demolition. Given his position as chairperson on the City Council's Subcommittee on Abandonment, Foreclosure and Disinvestment, which oversees the disposition of city-owned properties to private developers, local activists feel that Pagán is in a position to benefit most from what happened on Fifth Street.

Meanwhile, due to the city's illegal demolition of their building and destruction of their possessions on February 10, the Fifth Street Squatters are suing the City of New York for $2.6 million. At a hearing on March 31, a Mr. Islam, of the Department of Buildings, testified that the building had no roof or stairs, even though police videos of the building's interior after the fire clearly show the staircase and roof intact. In addition, police and fire fighters were seen entering and exiting the building countless times without protective head gear. Squatters countered Mr. Islam's testimony and described the fire damage as minimal.

Since the hearing, the city has been negotiating an out of court settlement with the Fifth Street squatters, but so far have offered nothing acceptable to compensate them for their losses.

Jackie Bukowski, attorney for the squatters, told the SHADOW, "The city wantonly destroyed these people's possessions without any rational reason. These actions are unlawful--this administration thinks it's above the law. The mayor decided to destroy their stuff with the building, including live pets, and punish them, for squatting."



SPENCE

COPS, FIREMEN AND CITY OFFICIALS CAME AND WENT FROM "UNSAFE" SQUAT BUILDING WITH NO PROTECTIVE GEAR

METROPOLITAN COUNCIL ON HOUSING

Met Council is a citywide tenant union.

Our phones are open to the public Mondays, Wednesdays and Fridays from 1:30 to 5:00 p.m.

We can briefly answer your questions and tell you the location of the branch nearest you for more information or for help with organizing.

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NYC PARTNERSHIP....

and now, the LES.

"The aim is to get rid of large numbers of poor people and replace them with smaller numbers of middle class people," says Robert Fitch, author of *The Assination of New York* (Verso, 1993), a book which delineates how real estate barons and corporate "philanthropists" like Rockefeller and Ford have sold out the working poor.

Describing Partnership's development schemes in the Bronx, Fitch explains the rationale for low-rise housing: "Low Densities mean low costs, and low taxes. As one south Bronx activist and opponent of...planned shrinkage, Harry DiRienzo, explained:

'Developing a home for a household earning $40,000 a year, with a car and kids in a private school is perceived by some as preferential to a household with an income of $8,000, with twice as many children and some level of social service needs. This helps explain why the South Bronx is now being developed by the New York City Partnership with densities of 18 households per acre on land which once housed 120 households per acre. '"

In other words, by subsidizing low-density, middle-income housing instead of poor people's housing, the government can lower expenditures for welfare, social services and schools, while broadening the city's tax base. And the poor, well, they'll just have to fend for themselves.

It's important to understand that the Partnership agenda is citywide, working in tandem with the Giuliani Administration's goal of privatizing virtually all city-owned property. Last year, Giuliani announced his intention to sell off at least half of the city's 750 community-run gardens. Many will no doubt go to the Partnership.

The city in turn provides the Partnership with plenty of cash to subsidize its development schemes, roughly $300 million a year. The cozy relationship is evident in the revolving door that exists between city bureaucrats, corporate execs, and Partnership employees: for example, Veronica Wright, the current president of NYC Housing Partnership, was formerly Deputy Commissioner for Planning and Policy at HPD.

Partnership also works closely with LISC/Enterprise, the development and funding organizations which financed the destruction and gut renovation of the 13th Street squats last summer. In fact, former NYC Partnership president Kathryn Wylde, is a close buddy of Pagán, and helped him lead the drive to enlist LISC/Enterprise in the 13th Street project.

Not surprisingly, the contractor for the 13th Street site, Donald Capoccia of BFC Partners in the Bronx, has also been selected to construct Partnership's condos on 10th, 11th, and Suffolk Streets. Capoccia is a major campaign contributor to Pagán. As reported in SHADOW #9, Capoccia was the "project manager" who enabled his friends and acquaintances to buy apartments in buildings designated for low-income housing located at 72-74 East Third Street for nominal amounts of cash. Within two years, most of the players resold their apartments for an average profit of $100,000 each.

The magnitude of NYC Partnerships influence over city planning cannot be overstated. In order to further fuel its "urban renewal" agenda, last September, the Partnership created another subsidiary, the New York City Investment Fund, supposedly aimed at creating jobs and economic development in so-called "blighted areas." But one has to question how philanthropic the Investment Fund will be considering that its chair is Henry Kravis, the billionaire owner of *New York magazine* whose multi-billion-dollar takeovers and leveraged buyouts during the 80s and early 90s led to the corporate downsizing of hundreds of thousands of jobs nationwide. The Fund's vice chair is real estate baron Jerry Speyer; its president is Kathryn Wylde, the former head of NYC Housing Partnership. The board reads like a Who's Who of corporate America, comprising the top CEO's of Chase Manhattan, Merrill Lynch, Time War-ner, Goldman Sachs, Dime, NYNEX, Solomon Brothers, Crains New York Business, and others.

Working with a pool of $57 million in investment capital culled from 57 corporations donating $1 million each, the Fund plans to promote job creation through larger companies and retailers, as opposed to non-profits and small businesses, which it says do not generate enough potential for growth. One might ask, growth and jobs for *whom*?

According to its literature, the Fund intends to "reinfore NYC's status as the world financial capital. Recognizing the *inevitability of job losses from consolidation and relocation of back offices to lower cost areas*, the Fund will focus on sustaining the city's role as the center of inovation in financial services. It will also help structure new financing vehicles for commercial real estate, particularly in neighborhoods/sectors where conventional financing is often unavailable." Bottom line, big money rules.

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POLITICALLY-CONNECTED REAL ESTATE DEVELOPERS CREATE GIRLS CLUB TO TAKE LA PLAZA CULTURAL

By Chris Flash + A. Kronstadt

On February 25, Community Board 3 voted 20-10 to approve a proposal to grant site control of a Lower East Side community garden and park to a group of private real estate developers. Under the proposed Willow House project, the park, known as La Plaza Cultural, located at 9th Street and Avenue C, would be transfered to the Lower East Side Community Girls Club, an entity created by friends and associates of city councilman Antonio Pagán to facilitate the construction of a seven story building that would contain 64 "market rate" apartments, 16 "middle-income" units, and more than 7,000 square feet of commercial space. The "Girls Club" would occupy only 10% of the building, which would take over La Plaza, as well as an adjacent community garden bordering 8th Street.

Pagán and his fellow real estate developing poverty pimp thieves have long sought to take La Plaza Cultural from the neighborhood. Pagán's efforts to acquire the site to create phoney low-income housing for senior citizens failed in 1989, mostly due to exposure of his role in what came to be known as the (Senator Alphonse) D'Amato/HUD Scandal, in which federal guidelines were violated in order to push the project through.

Several experts, including some from the Army Corps of Engineers, reported that an underground stream flowing less than six feet under La Plaza precluded construction there; earlier buildings on the site had to be torn down because of damage from the high water table which also feeds the two lush weeping willow trees that are the trademark of La Plaza.

At the time, Pagán testified at a City Hall Board of Estimate meeting that La Plaza was "a vacant lot...a drug-ridden hell hole that should be wiped off the face of the Earth..." **(See SHADOWs #8 + #12 for more--Ed.)**

The 9th Street Block Association raised and spent $12,000 in legal fees to ultimately save La Plaza, taking the case all the way to Federal Court.

In the following years, La Plaza, with its big wooden bleachers that were rebuilt in a concrete and stone mosaic in 1993 in a massive effort by park users not part of the Block Association, became a neighborhood hangout, playing host to squatters, yippies, volleyball and domino players, Bacardi drinkers, peddlers, and homeless people. Members of the Block Association kept to themselves in a private garden fenced off from the public part of La Plaza.

As reported in SHADOW #36, on June 5, 1995, members of the Block Association moved into La Plaza, reinforced the fencing and added new locks. When they were finished, several new "No Trespassing" signs were visible through the fence. Soon after, the Block Association got a "Green Thumb" lease, which gave them control over the park for one year. A Green Thumb sign was nailed into the bark of a tree for public display.

The Block Association closed La Plaza and turned it into a private park, but their long-awaited plan to renovate got as far as painting over the left-wing wall murals and replacing them with pictures of animals. For the past two years, La Plaza looks the same as it did before, except for the absence of people.

Now that yet another "divide and conquer" strategy has been successfully employed against neighbors, neutralizing any organized and cohesive defense of La Plaza, Pagán and his real estate forces are now making another move on the park.

The Willow House project is being pushed by local politicians, real estate developers and Community Board Three (CB3) members connected to Antonio Pagán, who is chairman of the city council's Subcommittee on Abandonment, Foreclosure, and Disinvestment. The committee is deeply involved in mayor Giuliani's plans to privatize public land and sell abandoned buildings and gardens to private developers.

AFF (Anderson, Fendt & Fendt) Commercial Builders, Inc., of Bayside, Queens, is slated to build the Willow House project. AFF head Eric Anderson is a Pagán campaign contributor, as well as a co-president of the East First Street Block Association along with CB3 District Manager Martha Danziger, who is ramming support for the Willow House project through CB3. The vice-president and director of the "Girls Club" is CB3 member Lynn Pentecost (nee Teifenbacher), who was appointed to CB3 by Pagán, and who lives in Martha Danziger's building at 52 East First Street. Pentecost also sits on the board of Pagán's Lower East

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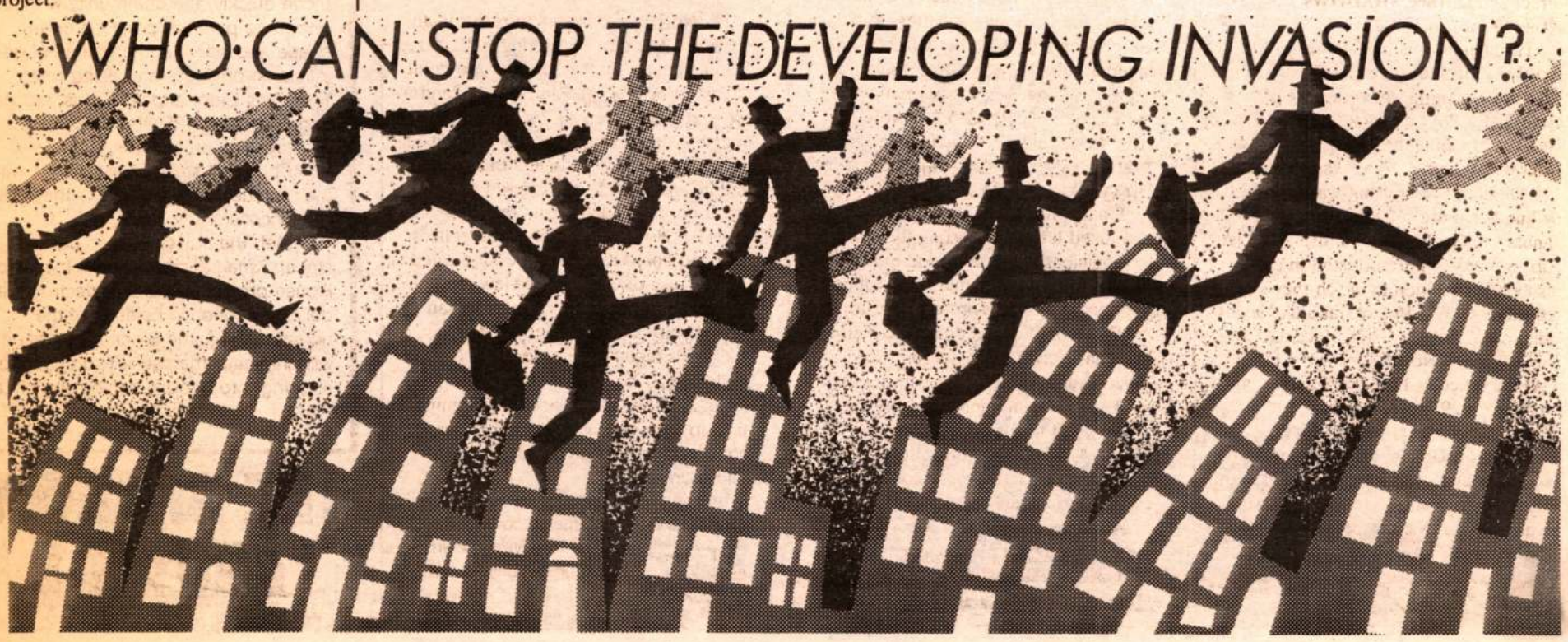


HPD CALLS OFF EVICTION OF ABC NO RIO

By Steven Englander

After almost two years of continuous, unrelenting struggle, the New York City Department of Housing, Preservation and Development (HPD) has called off its effort to evict the arts center, performance space and gallery, known as ABC No Rio, located at 156 Rivington Street.

On February 5, more than a dozen ABC No Rio supporters slipped past HPD security to stage a sit-in at the office of HPD Commissioner Lillian Barrios-Paoli. Expecting mass arrests, the protestors were instead surprised to be invited by the commissioner into an HPD conference room. After a two hour conversation, the commissioner promised not to pursue the eviction, and a meeting was scheduled for February 10 to resolve the conflict between ABC No Rio and HPD.

At the meeting, ABC No Rio representatives and the residents of 156 Rivington Street met with the commissioner and her staff and reached an agreement.

In a letter of intent from the commissioner summarizing the meeting, HPD says that it will not proceed with the eviction and will enter into a "Use and Occupancy" agreement with ABC No Rio for the storefront and basement spaces currently occupied. In exchange, HPD will be allowed to inspect the entire building. Within six months, ABC No Rio will provide HPD with a proposal to develop the entire building into a community arts facility under HPD's Community Works Program. HPD will sell the building to ABC No Rio for one dollar, but No Rio must raise $75,000-$100,000 to renovate the building.

This agreement is a compromise: it requires the residents of 156 Rivington Street to voluntarily vacate within six to nine months. Then the Uniform Land Use Review Procedure (ULURP) can begin. ULURP requires the Community Board, the City Council, and others to approve the disposition of the property to ABC No Rio; this will take six to nine months. During that period, ABC No Rio can begin to use the entire building for its expanded facilities, programs and services. Finally, 156 Rivington Street has been removed from the "Harmony Houses" project sponsored by real estate developers "Asian Americans for Equality," who had been trying steal ABC No Rio's building.

This turn of events demonstrates that effective, committed resistance can lead to positive, tangible results. In the summer of 1995, ABC No Rio vowed to fight the eviction through the courts, through public support and the political system, through the press, and through direct action. **(See SHADOWs #36, 37, 39 + 40 for more--Ed.)**

Throughout this past January, ABC No Rio supporters organized several actions protesting the involvement of AAFE in HPD's effort to displace ABC No Rio. On January 2, a spontaneous protest was held at AAFE's office at 111 Division Street. That was followed by another more organized protest on January 6. On January 16, five ABC No Rio supporters were arrested in a civil disobedience action in which they shackled themselves with locks and chains inside and outside AAFE's office. On January 23, ABC No Rio protested at AAFE's office in Flushing, Queens, and on January 29, a "public speakout" was held at the Division Street office.

ABC No Rio also used the legal system to defend itself. In Landlord/Tenant Court, No Rio attorneys sought to stall or dismiss the eviction petitions on technical grounds. Three eviction proceedings were dismissed or discontinued as a result.

In State Supreme Court, ABC No Rio brought forth an Article 78 Petition that sought to nullify the City Council resolution used by HPD to justify an eviction. On December 7, 1995, the City Council declared that 156 Rivington Street was a "blight" on the community, "constituted a growing menace" and impeded the economic development of the community. Though HPD presented no evidence or factual analysis to support this finding, the City Council approved the "Harmony Houses" Urban Development Action Area Project (UDAAP) promoted by HPD and sponsored by AAFE.

No Rio's Article 78 challenged the City Council resolution on statuatory and First Amendment grounds: that HPD consistently acted in bad faith in its dealings with ABC No Rio and the intent of the UDAAP recommmended for the site was retaliatory in response to ABC's excercise of constitutionally-protected free speech. No Rio has for many years freely aired its grievances with HPD to the press and to public and elected officials, has organized demonstrations at HPD headquarters, and has sought redress and relief in the courts against HPD.

At a second City Council hearing, ABC No Rio was denied the opportunity to submit additional information into the record, and No Rio's expert witness, architect Peter Franck, was denied a chance to testify. An HPD official, however, was allowed to testify, after the hearing was closed, and without No Rio being able to rebut his misstatements.

ABC No Rio's challenge to HPD's eviction scheme included lobbying elected officials. Peter Vallone, Speaker of the City Council, was encouraged to initiate an investigation into the propriety of the City Council hearings to determine if procedures as well as principles of fairness were violated.

Because the "Harmony Houses" project was to be financed through tax credits and since HPD excercised their discretionary power in a questionable manner, ABC No Rio requested that US Congressmembers Nydia Velazquez, Carolyn Maloney and Jerold Nadler look into the "Harmony Houses" financing to determine if a federal program was being misused by HPD in order to retaliate against ABC No Rio.

Both mainstream and alternative media were used to inform and engage the public. No Rio's received press coverage for its recent actions, as well as for the Eviction Action Weekend event last September which culminated in a large and entertaining rally at the Metropolitan Museum of Art. ABC No Rio supporters were joined that weekend by the Ladronka squatters in the Czech Republic, who organized a simultaneous action at the US Consulate in Prague. In addition, issues relating to the eviction of ABC No Rio were discussed on Steal This Radio (the Lower East Side's pirate radio station) and on WBAI-FM.

Finally, hundreds of people wrote and faxed letters protesting the eviction to municipal authorities, and thousands of signatures were gathered on support petitions. Letters of protest went to AAFE's board of directors, and to the National Equity Fund and the New York Equity Fund, the organizations marketing and administering the tax credits used to finance "Harmony Houses." Demonstrations directed at both funding sources were contemplated, but proved unnecessary.

All these efforts, over a period of more than eighteen months, spiced with increasing militancy, demonstrated to HPD an unmistakeable commitment by ABC No Rio supporters to resisting an eviction. The cost of evicting ABC No Rio may have appeared to be too great a cost to bear, politically, socially, and economically. Even so, the arrival of marshalls enforcing a judge's warrant of eviction was very likely less than one month away. HPD has refused to comment on the reason for its reversal.

ABC No Rio volunteers and collective and board members are all excited by this turn of events, and view the compromise achieved as a victory, an opportunity, and a challenge. Raising the funds required to renovate the building will be difficult, but not impossible. ABC No Rio is now determining how to meet this new and ambitious challenge without sacrificing its spirit and character.

All interested people with ideas and proposals are welcome to contact ABC No Rio by mail at: 156 Rivington Street, New York, NY 10002, or by phone at: 212-254-3697.

LA PLAZA....

Side Coalition Housing Development (LESCHD), which takes city-owned buildings and land for redevelopment into temporary "low-income" housing that later goes "market rate," but remains under the control of LESCHD. The official address of the "Girls Club" is 69 Avenue D, the same address as LESCHD.

Another CB3 member, Lisa Ramaci, once launched as Democratic District Leader by Pagán's Democratic Action Club, and appointed to CB3 by Pagán has been touting the Girls Club project as well. At the February CB3 meeting, she used an old method of forming public opinion by emphasizing the "buzz-words" girls and children. She said, "The garden [La Plaza], due to weather conditions, is off-limits six months of the year...a girls club is open all year round for the benefit of the children of this community."

Reneé Williams, Pagán's CB3 liaison who reads his prepared written statements at CB3 meetings, is also associated with the "Girls Club," and was seen on the "Good Day New York" television show, engaging in damage control to deny that the water table below La Plaza threatens the integrity of any building on the site. Williams said: "Anyone that knows Manhattan knows *we've built on unstable soil for years.*" (Emphasis supplied)

Pagán, Pentecost, Ramaci, and Danziger are all in possession of city-owned apartments designated for low-income residents that they have either purchased for nominal amounts of money under "sweat equity" programs or for which they pay negligible rent. All have been active in efforts to privatize their buildings, which would give them the opportunity to "flip" their pieces of the rock and make huge profits. This is how this gang of local developers and developer wanabees got into the privatization business in the first place--the Girls Club project is bound to present these hustlers with financial opportunities that are not immediately obvious to the surrounding community.

Almost immediately following the February CB3 meeting, the Pagánite offensive against La Plaza began. Sources have told the SHADOW that in March, a park ranger showed up at La Plaza demanding their Operation Green Thumb sign, saying that the Green Thumb program no longer existed. When Block Association members called the Parks Department, the Green Thumb administrator denied any knowledge of rangers removing signs from gardens.

Another SHADOW source says that a Block Association member received a call from Jane Wiseman, of the Green Thumb program. Apparently, Wiseman was told by Martha Danziger that the Block Association was charging rent to performers in La Plaza, and Wiseman wanted to know why. (In fact, according to the source, on one occasion, an artist who did a series of shows at various public spaces including La Plaza, donated a token amount of money to the groups running the spaces.) Soon after, the source told the SHADOW, Pentecost called Wiseman and said that since the "Girls Club" has site control, they should receive the money!

The source also said that New York Cares, a volunteer group involved in the Block Association's plans for renovating La Plaza, was contacted by "Girls Club" officials who warned them to stop sending volunteers, or else they would be perceived as being against a club for girls. New York Cares has since withdrawn their volunteers.

When the Block Association recently applied for a $15,000 grant in order to hold an arts festival at La Plaza, the grant source was contacted by persons unknown and told not to make the grant, since La Plaza was "going to be gone." The grant was denied.

The situation around La Plaza Cultural is a case where neighbors have been exploited by real estate developers and their political counterparts. The 9th Street Block Association, long the protectors of La Plaza, expelled the "undesirable" homeless and counter-culture element from the park in 1995. Now they are being confronted by Pagán's real estate/propaganda machine who can portray them as a group of selfish locals who want to keep La Plaza as their private preserve, while denying little girls a club of their own.

Ironically, Block Association leader Don Yorti had worked with many of the same activists he later forced out of La Plaza, in order to stop the city from giving site control of the park to Pagán's LESCHD during the Casa Victoria battle.

Only now do some members of the Block Association feel that Pagán used them against the park users, and only now are they trying to do something with the park, despite losing losing their grant money. But unfortunately, the damage has been done.

In order to save La Plaza, the 9th Street Block Association will have to immediately open the park to the community, which helped them fight off Pagán's last efforts to take La Plaza.

If the Block Association doesn't move quickly, the community will lose one more patch of precious open space and become the victims of gentrification pressure and rising rents. The "Girls Club" and AFF must still get approval from HPD and go through the approval process required by other city and state agencies, but with their connections, it appears they will be successful.

When the artificially high commercial and market rate rents of the Willow House project irreparably destroy the delicate economic balance of the neighborhood, the Block Association will only have themselves to blame for allowing it to happen on the site of La Plaza.

THE SHADOW KNOWS!!

NEW WITNESS IN MUMIA ABU-JAMAL CASE

By Steven Wishnia

PHILADELPHIA--As Mumia Abu-Jamal's lawyers try to win him a new trial in the Pennsylvania Supreme Court, a new witness has claimed that police tried to get her to give false testimony against him in 1981.

The witness, Pamela Jenkins, was a key federal informant in the city's 1995 police-corruption scandal. Thomas Ryan was one of the six city cops convicted on federal charges in the scandal, in which officers from the 39th District station were revealed to have framed defendants on phony drug charges. In December 1981--when Abu-Jamal was arrested for the fatal shooting of city police office Daniel Faulkner--Jenkins was 16, a prostitute working the Center City area and dating Ryan.

In an affidavit given to the defense in January and filed with the court March 10, Jenkins states that Ryan and several other officers tried to get her to say she had seen Abu-Jamal kill Faulkner, even though she hadn't even been there. She also says that oft-arrested prostitute Cynthia "Lucky" White--the prosecution's key witness at Abu-Jamal's 1982 trial--told her that "she had been threatened with her life by a police officer because of the Jamal case."

Jenkins did not testify in the 1982 trial, but said she took $150 from police to help them find Cynthia White.

Philadelphia Assistant District Attorney Hugh Burns says that prosecutors are still investigating Jenkins' claims and haven't formulated an official response. However, Burns says that the 39th District officers had "nothing to do with the case" and calls the claim that police had to track White down "bizarre."

"Cynthia White gave her version 20 minutes after the murder," he declares. That initial statement to police, he adds, was consistent with her trial testimony.

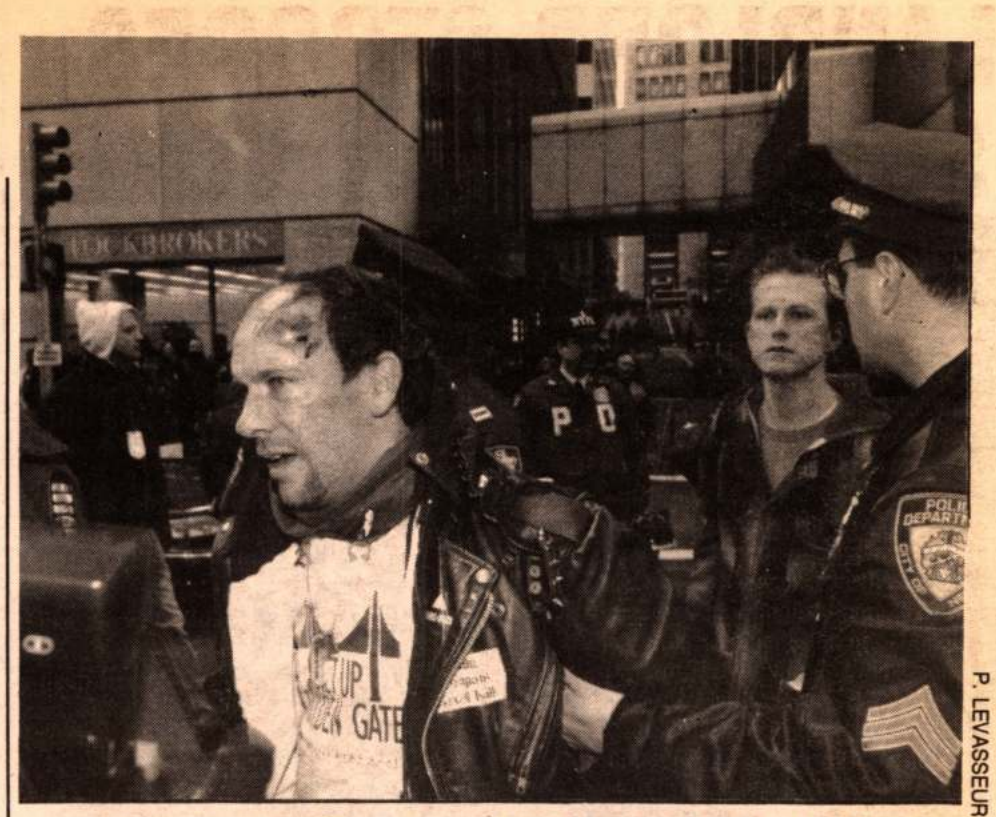
But defense lawyers argue that Jenkins' story is the latest illustration of a pattern of police intimidation of witnesses and withholding of evidence by the prosecution. "The prosecution witnesses were coerced and coaxed," says attorney Dan Williams. White, in jail in Massachusetts on prostitution charges and facing more in Philadelphia, was especially vulnerable to pressure. Another witness, cabdriver Robert Chobert, was driving without a license while on probation for arson. Both changed their stories several times before the trial. (White jumped bail in 1987 after police intervened to get her released without bail in an armed-robbery case.)

The March 10 court papers also cite gas-station owner William Singletary, who told a 1995 hearing on Abu-Jamal's bid for a new trial that he had seen a man with dreadlocks--not Abu-Jamal--shoot Faulkner and then flee. But when he gave police written statements about it, he said, a detective rolled them into a ball and threw them out. He did not testify at Mumia's 1982 trial, and claimed that police threats had forced him to move to North Carolina. Prosecutor Burns dismisses Singletary as totally unbelievable.

If the state Supreme Court denies Abu-Jamal a new trial, Governor Tom Ridge is expected to sign a death warrant immediately, which means that he could be executed within three months. An appeal to the federal courts would be sharply circumscribed by the 1996 antiterrorism bill's provisions to expedite executions. Federal law now presumes that state courts are correct on the facts in death-penalty cases, and defendants claiming that state courts misinterpreted the law must prove that they were unreasonably wrong to get a conviction overturned.

Another scandal hit the Philadelphia justice system this spring, when city District Attorney Lynne Abraham released a video of her Republican opponent instructing assistant district attorneys on how to sidestep a recent Supreme Court ruling banning racial discrimination in jury selection. The Republican candidate, then a city prosecutor, told the ADA's to keep poor blacks and intelligent people off juries, because blacks would sympathize with defendants and the intelligent took the concept of "reasonable doubt" seriously.

(For more on Mumia's case, see SHADOWs # 37, #38 + #40--Ed.)



P. LEVASSEUR

BILL THORNE OF ACT-UP GOLDEN GATE ARRESTED AFTER KOPS BEAT HIM AND SMASHED HIS FACE IN THE STREET

ACT-UP CELEBRATES TEN YEARS: *ACTIVISTS CRASH STOCK MARKET*

Special Report by ACT-UP

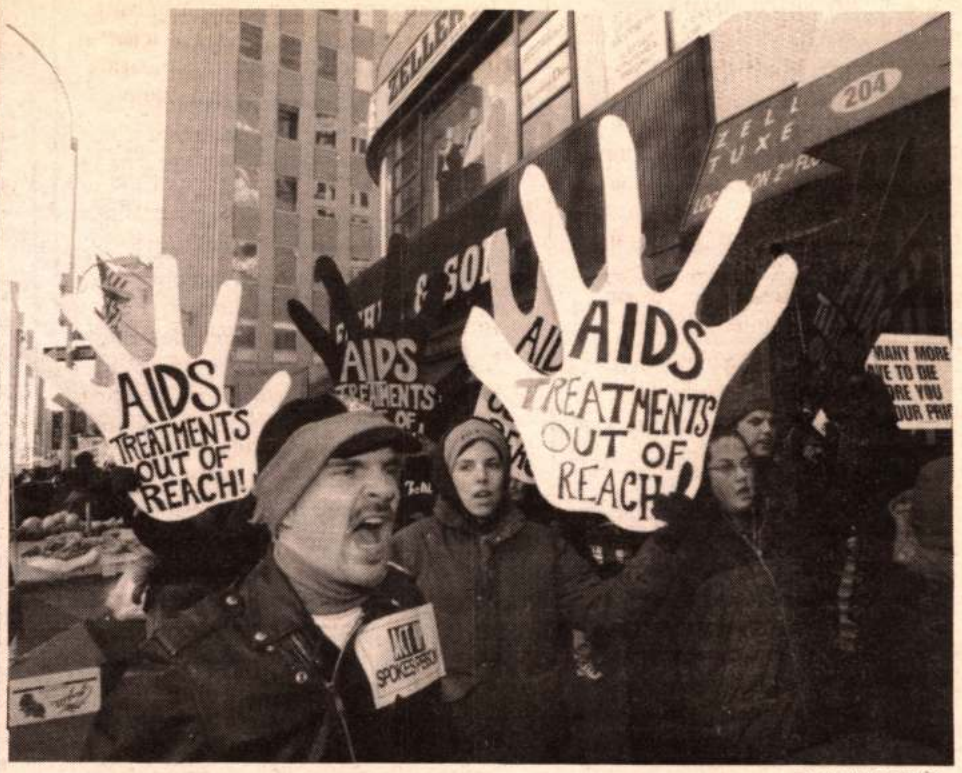
On Monday, March 24th, more than 500 activists from the AIDS Coalition to Unleash Power (ACT-UP) converged on Wall Street for an early morning "Crash the Market" demonstration. They protested price gouging by pharmaceutical corporations selling essential AIDS drugs and cutbacks in Medicaid funding, and demanded broader research toward usable AIDS treatments and access to AIDS treatments for all, as well as a cure for AIDS.

Funding of the federal AIDS Drug Assistance Program (ADAP) falls far short of the need to cover existing AIDS treatments in many parts of the country. President Clinton has proposed $22 billion in Medicaid cuts over the next five years, and Congressional republicans are calling for similar reductions.

The demonstration coincided with the tenth anniversary of the founding of ACT-UP. Eric Sawyer, a long time survivor with AIDS who was one of the founders of ACT-UP, says: "At a time when expensive drugs are prolonging the lives of many with this disease, it's outrageous that Clinton would call for Medicaid cuts and per-person caps--which will force many states to slash or even eliminate prescription coverage. This says to poor people with any serious illness, 'It's only worth keeping you alive if it doesn't cost too much.'"

Demonstrators began marching at 7:30 am, chanting: "We Die, They Make Money" and "Wall Street trades on people with AIDS." Demonstrators carried out civil disobedience actions, including the blocking of entrance points set up by the police for employees working in the area and rushing the doors of the New York Stock Exchange.

Numerous police assaults took place, including the banging of heads on the pavement, tackling people from behind, restraining demonstrators with feet and body weight on necks, legs, and arms, kicking and punching demonstrators, and dragging arrestees across the pavement face down, by their hair and by handcuffs. In addition, police used derogatory epithets against demonstrators. There were a total of 73 arrests. Two of the arrested activists were hospitalized with head injuries.



P. LEVASSEUR

LANDLORD STOOGES SCUTTLE RENT VOTE

By Steven Wishnia

ALBANY—Under the angry eyes of 150 tenants up for a "mini-lobby day," the State Senate on April 7 rejected a move to extend the state's tenant protections for four years.

The 33-27 vote blocked a procedural maneuver by Minority Leader Martin Connor to get the Republican-controlled Senate to vote on renewing the *rent laws* unchanged. The Assembly passed a bill strengthening tenant protections last month, and tenant organizers saw Connor's discharge petition as a ploy to force Senate Republicans from the New York City area to show which side they're on. Given the choice between tenants and Majority Leader Joseph Bruno, all but two--Roy Goodman of Manhattan and Frank Padavan of Queens--picked Bruno.

Senate Democrats offered the usual litany of arguments in support of rent controls: that rent-regulated tenants are predominantly working-class and poor, that people are already tripled up in $1,100 a month one-bedroom apartments, that vacancy decontrol was a disaster when Governor Nelson Rockefeller pushed it through in 1971. "We're not dealing with Barbra Streisand in Cambria Heights," said Alton Waldon of Queens. "This is the haves versus the have-nots."

Bruno accused them of "grandstanding, posturing, and pandering." He emphasized his willingness to be "reasonable," saying he had "offered since December to negotiate" a slow death for rent controls rather than an instantaneous execution.

"This will not be a debate on the merits of rent control," he declared, and the Senate Republicans ovinely obeyed. Even Goodman and Padavan didn't say a word about the bill on the floor.

"They only voted for it because Bruno allowed them to," said Jenny Laurie of the Metropolitan Council on Housing.

Tenants lobbying other metropolitan-area Republican Senators didn't meet much success. Goodman emphasized his support for rent controls, but told tenants that he would not try to get other Republicans to break with Bruno. Nicholas Spano of Westchester told a group of about 25 constituents that he was "firmly in favor" of renewing the rent laws, but wouldn't vote for the discharge petition because it was "designed to embarrass the majority." Spano, who received $8,650 from landlord groups between 1993 and 1996, told the tenants they were being manipulated in a "political charade."

The 40 tenants visiting Bronx-Westchester Senator Guy Velella were ordered to leave by a state trooper. Velella received $3,000 from landlord groups, and also chairs the Senate Republican Campaign Committee, which got $430,000.

Other area Republicans voting against the bill were Dean ($4,700) Skelos and Michael ($4,550) Tully of Nassau County, John ($2,100) Marchi of Staten Island, and Serphin ($9,150) Maltese of Queens. Brooklyn Democrat John Sampson, a former landlord lawyer, wavered, first attempting to leave the chamber and then asking to abstain before he was pushed back in line by the party organization.

"If they don't feel your anger, we're going to lose," Michael McKee of the New York State Tenants & Neighbors Coalition told tenants after the vote.

But tenant organizers warn against focusing anger exclusively on Joseph Bruno. The upstate millionaire is easy to hate--for those of you who've never seen him in the flesh, he radiates the smugness of the successful class warrior, like a unionbusting executive who pontificates about his great concern for job security while denouncing "1930s socialist relics" that force businessmen to pay lazy lowlifes far more than they could ever command on the free market. Yet many feel he is simply playing bad cop for Pataki--attracting tenant ire by being an outrageous pig, thus giving the Governor the opportunity to look like a great conciliator when he proposes some "compromise" like vacancy decontrol.

That scenario looks increasingly likely, as it also seems to enjoy the support of Rudy Giuliani. (The Mayor has appointed anti-rent control zealots to run the city's rent-stabilization system, but needs to look pro-tenant to win re-election.) Bruno is likely to do everything in his power to prevent a straight up-and-down vote on renewing the laws intact: The Republicans have a five-vote majority in the State Senate, and there are eight GOP members from the metropolitan area who have significant numbers of renters in their districts.

Such a compromise would probably include such devastating loopholes as lowering the "luxury decontrol" threshold--from $2,000 a month to $1,000--or vacancy decontrol (either completely deregulating vacant apartments, as was done here in 1971, or the San Francisco system of allowing landlords to charge new tenants as much as they can get but limiting increases for tenants in place). The 1971 decontrol, which coincided with the era of massive abandonment and gave landlords a powerful incentive to harass tenants out of their homes, was such a disaster that it inspired a Republican-dominated state government to put most apartments under rent stabilization three years later. That hasn't prevented landlord propagandists from claiming that "it doesn't hurt tenants in place."

Pataki has endorsed vacancy decontrol in the past. His office did not return phone calls about his position.

SHADOW REPORTER CONFRONTS GOVERNOR PATAKI

By Chris Flash

On April 17, New York State governor George Pataki was confronted by SHADOW reporter Steven Wishnia as he attended a political fundraiser at the South Street Seaport in Manhattan.

Wishnia, who is also editor of Metropolitan Council on Housing's newspaper *The Tenant*, told the SHADOW, "I got backstage, went up to him and said 'excuse me, governor, I'd like to know your position on vacancy decontrol." Pataki refused to answer and was quickly hustled away by his aides.

Pataki's press aide Sara Gaffney then told Wishnia that the governor's position was "to support decontrol, except for the elderly, poor and disabled."

Afterward, Wishnia told the SHADOW, he was poked in his back by a large man claiming to be a state trooper, who said, "Let's take a walk." Wishnia said that he was told he wasn't under arrest, but that he was being asked to leave because "the governor's staff has decided you're being a public nuisance."

NYC PARTNERSHIP....

So what does all this wheeling and dealing mean for the fate of the Lower East Side? Basically, that we're coming up against a mother-fucking octopus with more deep pockets than you want to know about, that's intent on radically re-landscaping our community at the expense of green space and the poor. And the so-called progressive non-profits and housing groups in the nabe aren't going to do a thing to stop it, because they're all looking to get a piece of the pie.

In addition to the Partnership condos on 10th and 11th Streets, CB3 District Manager Martha Danzinger and a bunch of Pagán cronies are seeking to turn the park space at La Plaza Cultural at 9th Street and Avenue C into an $11 million, seven-story project called Willow House. Under the guise of providing a sorely needed girls club for the neighborhood, the project would create 64 units of market-rate housing along with 16 units of low and moderate- income housing, and over 7,000 square feet of commercial space (i.e. strip-mall), extending through to 8th Street. The girls club would occupy only 10 percent of the space. Not surprisingly, Chase Manhattan, one of the key players in the Partnership and NYC Investment Fund, has offered to underwrite the project. The Girls Club cabal, which operates out of the offices of Pagán's housing group, Lower East Side Coalition Housing Development, says it plans to preserve La Plaza's old willow trees, but it's hard to believe those 100-year old trees will survive such a humongous undertaking. (See accompanying story in this issue--Ed.)

When you add up the Partnership condos on 10th and 11th with the market-rate housing and commercial development at La Plaza, and Giuliani's plan to auction off the Charas-El Bohio community center at 9th and Avenue B to the highest bidder, you basically have one three-block area about to be remapped for the rich. Throw in the campaigns to gut rent stabilization and privatize the public housing projects, and you start to understand the magnitude of the urban space war now under way.

But this battle is far from over. More than just green spaces, the gardens at 10th and 11th Streets should be recognized as the first firewalls in the fight to contain a much larger gentrification agenda. Recently Lower East Side gardeners joined with gardeners from Harlem, the Bronx, Brooklyn and Staten Island to form the NYC Coalition for the Preservation of Gardens. They are now working with a group of lawyers to investigate the feasibility of a class-action suit against the city to block the wholesale destruction of gardens. Such a coalition may provide a basis for a city-wide revolt against the corporate-sponsored HPD/Partnership development scams, but only if squatters, private and public housing tenants, and small businesses, recognize that these gardens *are* our common ground.

(HPD and Partnership reps will be presenting their plans for the 10th and 11th Street condos at the CB3 Housing and Land Use Committee meeting on May 15, at 6:30pm, at Project Renewal, 333 Bowery. All concerned parties are encouraged to attend.)

NEW YORK CITY POSTMARK

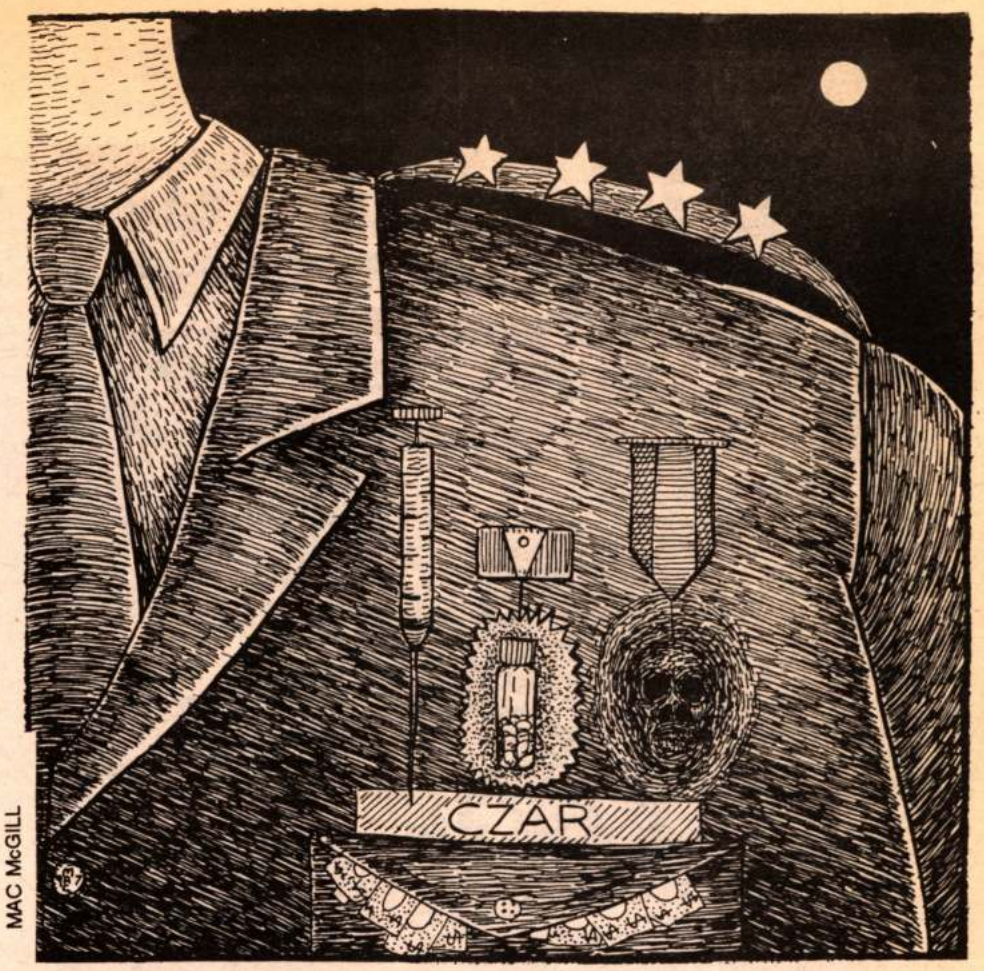
MEXICO DRUG WAR REPORT:

NARCO-REGIME IN DEEP CRISIS

But Washington Still Underwrites Militarization

By Bill Weinberg

The fall of Mexico's Drug Czar is but the latest development in the wholesale take-over of the Mexican state by the drug cartels. The self-implosion of the Mexican elite in a string of bloody narco-vendettas reaches the highest levels of power. Yet Washington keeps pouring your tax-dollars into the regime—to fight drug traffickers!...Or is to prop up NAFTA and suppress revolutionaries?



MAC McGILL

On February 18, the Mexican Defense Ministry announced that **Brig. Gen. Jesus Gutiérrez Rebollo**, Mexico's top military Drug War pointman, had been arrested on charges of receiving pay-offs from Juarez Cartel kingpin **Amado Carrillo Fuentes (aka the "Lord of the Skies").** US Drug Czar **Gen. Barry McCaffrey** had weeks earlier called Gen. Gutiérrez "a guy of absolute unquestioned integrity." The Clinton Administration admitted that Gen. Gutiérrez, as head of the National Institute to Combat Drugs, had received high-level intelligence briefings in the US.

"EVERYBODY COULD BE BRIBED"

As the investigation unfolded, Gen. Gutiérrez was linked to the wave of kidnappings which is shaking Mexico. A notebook dropped in the car that a Sinaloa businessman was abducted from was traced to a military officer investigating the slaying of a federal anti-narcotics police commander--an investigation that was headed by Gen. Gutiérrez.

On January 13, a month earlier, the daily *La Reforma* reported that four volumes of evidence against the Gulf Cartel had mysteriously disappeared from the offices of Gutiérrez' National Institute to Combat Drugs.

The previous August, Gutiérrez's own predecessor, **Ricardo Cordero Ontiveros**--who had stepped down in November 1995, citing frustration with entrenched official corruption--was himself arrested by federal police on charges of accepting bribes from Tijuana traffickers.

"Everybody could be bribed," said **Juan Antonio Ortiz**, a Gulf Cartel *jefe* who cut his prison time down from 20 to six years by cooperating with US authorities. "From what I know, everybody was being paid all the way to the top."

Ortiz was testifying in a civil case against **Mario Ruiz Massieu**, the former Mexican deputy attorney general, in which the US sought to confiscate more than $9 million in alleged Gulf Cartel protection money. Mario had reportedly funnelled the bread out of Mexico City in suitcases to deposit in Texas banks. One witness, the bodyguard of a federal police commander, testified he had delivered suitcases of cash into the trunk of Mario's car.

ASSASSIN NATION

Mario Ruiz Massieu was the federal investigator into the slaying of his own brother, **José Francisco Ruiz Massieu**, secretary-treasurer of the long-ruling Institutional Revolutionary Party (PRI), gunned down in Mexico City in 1994. Mario fled Mexico when a federal investigation was launched into possible cover-up in his own investigation of his brother's death. He was arrested by US authorities at Newark airport on March 3, 1995, *en route* to Europe. Now the US and Mexico are fighting over the hapless Mario: as he sat under house arrest in New Jersey, being periodically flown down to Houston to testify in his money laundering case, Mexican federal authorities attempted to extradite him back home.

On March 16, a Houston federal jury ruled that $7.9 million of Mario's $9 million in the city's banks was cartel grease and could be confiscated by Uncle Sam. Washington, which has refused Mexico's extradition attempts, is said to be trying to have Mario deported to a third country.

The case of Ruiz Massieu brothers illustrates how the Mexican state has become little more than a cash machine for corrupt bureaucrats. By the time of José Francisco Ruiz Massieu's death, he had amassed more than $20 million, beginning with his 1987 election as governor of Guerrero state. Now, the scandals surrounding his death reveal a PRI regime riven with narco-vendettas.

José Francisco Ruiz Massieu had been married to **Adriana Salinas**, sister of the infamous Salinas brothers: exiled ex-President **Carlos Salinas** and imprisoned political boss **Raul Salinas**. With Mexican investigators scouring Switzerland, Panama and the Caymans for the bank accounts where they sequestered their illicit millions, both Salinas brothers are implicated in the string of high-level assassinations which has decimated the Mexican elite since 1993.

Raul is charged with the slaying of disappeared Tamaulipas federal congressman **Manuel Muñoz Rocha**--whom he had allegedly paid to murder José Francisco Ruiz Massieu, then decided that dead men tell no tales. The accused gunman arrested by federal authorities "confessed" that he had been hired by Muñoz for the hit. By then, Muñoz had conveniently disappeared. On Halloween 1996, federal police unearthed a cadaver at Raul's private ranch, El Encanto. Investigators immediately announced that the body was that of José Francisco Ruiz Massieu.

Mario Ruiz Massieu now faces federal charges in Mexico of altering documents to divert evidence away from Raul Salinas in the death of his brother. Mario, in turn, continues to insist that the PRI machine was obstructing his investigation (and that the suitcases of cash he shipped to Houston were all clean money).

On February 1, 1997, **Francisca Zetina Chavez (aka "La Paca")**, the psychic and confidante of the Mexican elite who led federal investigators to Raul Salinas' ranch in search of the Muñoz' body, admitted that the body they found there was really that of her own son-in-law's father--which she had exhumed and planted on the ranch to frame Salinas. Forensic tests confirmed that it was not Muñoz' body.

Pablo Chapa Bezanilla, the special investigator for the Attorney General of the Republic (PGR) on the case, who hired La Paca and asserted the body was that of Muñoz, is now the target of a nationwide manhunt. La Paca, Mexico's *bruja*-to-the-stars who counts John F. Kennedy and the Egyptian Pharoah Tutankamon among her "spiritual protectors," was paid half a million dollars by Chapa's investigation. She is now in prison. The PGR claims to have a video of La Paca and Chapa meeting at her home in December 1995, plotting to frame Raul Salinas.

NARCO-MAFIA RUNS "WAR ON DRUGS"

The PGR, the top anti-drug police force, is admittedly corruption-ridden. 700 agents were fired in 1996 in an attempted clean-up. In March 1996, McCaffrey called then-Mexican Attorney General **Antonio Lozano Gracia** "a man of tremendous courage and integrity." In December, Lozano was ousted for incompetence and blowing the Salinas investigation.

Lozano had been the Mexican cabinet's token representative from the rightist opposition party PAN. This tentative power-sharing agreement was dropped with the Salinas scandal, and PRI hegemony has been restored to the cabinet. New Attorney General **Jorge Madrazo Cuellar**, former federal human rights commissioner, symbolically initiated his term by becoming the first Mexican Attorney General to submit to a drug test--and instate a policy of testing all PGR personnel.

Madrazo immediately accelerated the transfer of military officers to anti-drug posts previously held by civilians, the militarization of the Drug War, calling the policy a matter of "national security."

McCaffrey lost no time in heaping praise upon the new boss: "I applaud the current leadership; Mexico's new attorney general, the president, the secretary of defense...all of those who are involved in this. That includes all the brave soldiers in the Mexican armed forces who have destroyed more illegal drugs this year than any other force in Mexico. We are proud of what they have done."

Carlos Salinas remains in self-imposed exile, under investigation by Mexican federal police for complicity in the Ruiz Massieu case as well as money-laundering. He is said to have pumped the federal coffers full of laundered narco-dollars to keep the peso artificially inflated long enough to get NAFTA passed in US Congress, leaving his successor President **Ernesto Zedillo** to pick up the pieces when the peso crashed in December 1994, just after Salinas left office. Salinas, the Mexican architect of NAFTA and a onetime hopeful to head the new World Trade Organization, now globetrots to Havana and Toronto from his new base in Dublin, occasionally coming to New York for Dow Jones board meetings. Each time, Dow Jones' futuristic downtown Manhattan headquarters is staked out by Mexican journalists hoping to get a shot of the elusive Salinas, the first Mexican ex-President to be publicly vilified since Porfirio Diaz. He is said to be considering stepping down from the Dow Jones board. The left opposition Democratic Revolutionary Party (PRD) wants him charged with treason.

Mexican investigators, meanwhile, have traced Raul's money-laundering network from Citibank's Mexico City branch to accounts at its New York headquarters in the name of Salinas-owned dummy companies in the Cayman Islands--and from there to secret Swiss accounts. Over $200 million is said to have followed this route, but Raul denies that the money was from illegal activities--and Citibank denies knowing that the money came from the Mexican president's brother. The US and Switzerland have opened inquiries into the case.

The Mexican cartel's war for control of the cocaine traffic is resulting in a wave of killings (often accompanied by grisly tortures) of police and *narcotraffi-cantes* alike (with the line between them increasingly blurred) in Tijuana and other border towns as well as Guadalajara, Mexico's second city. The Tijuana Cartel--led by the **Arellano Felix brothers**--battles for hegemony with its junior rival, the Juarez Cartel of Amado Carrillo.

Juan Garcia Abrego of Matamoros' Gulf Cartel--which had bribed US Customs and National Guard to move truckloads of coke into Texas--is now in US prison, and his organization in decline. However, his brother, **Humberto Garcia Abrego**, managed to "slip away" from the cops assigned to guard him during questioning at government offices in downtown Mexico City in March--just days after President **Bill Clinton**'s controversial "certification" of Mexico as a reliable Drug War ally to receive US aid. Facing extradiction to the US, brother Humberto remains at large.

PLOT THICKENS IN COLOSIO CASE

In January, a Tijuana prosecutor, **Hodin Gutierrez**, was gunned down in a hail of bullets by unknown assailants. The eighth Tijuana prosecutor murdered in the past year, Gutierrez had been investigating the murder of former Tijuana police chief **Federico Benitez**--who, in turn, was investigating the most colossal murder case in Mexico, the slaying of PRI presidential candidate **Luis Donaldo Colosio** at a Tijuana campaign stop in 1994.

Colosio was gunned down on March 23, 1994. On March 3, not three weeks earlier, Baja California State Judicial Police protecting bigshot Tijuana *narcotraffi-cante* **Ismael Higuera Guerrero** got into a gun battle with Federal Judicial Police attempting to arrest him, leaving five officers dead. Grupo Tucan, the security firm hired by local *PRIistas* to police the fatal Colosio campaign stop, is made up almost entirely of ex-State Judicial Police agents.

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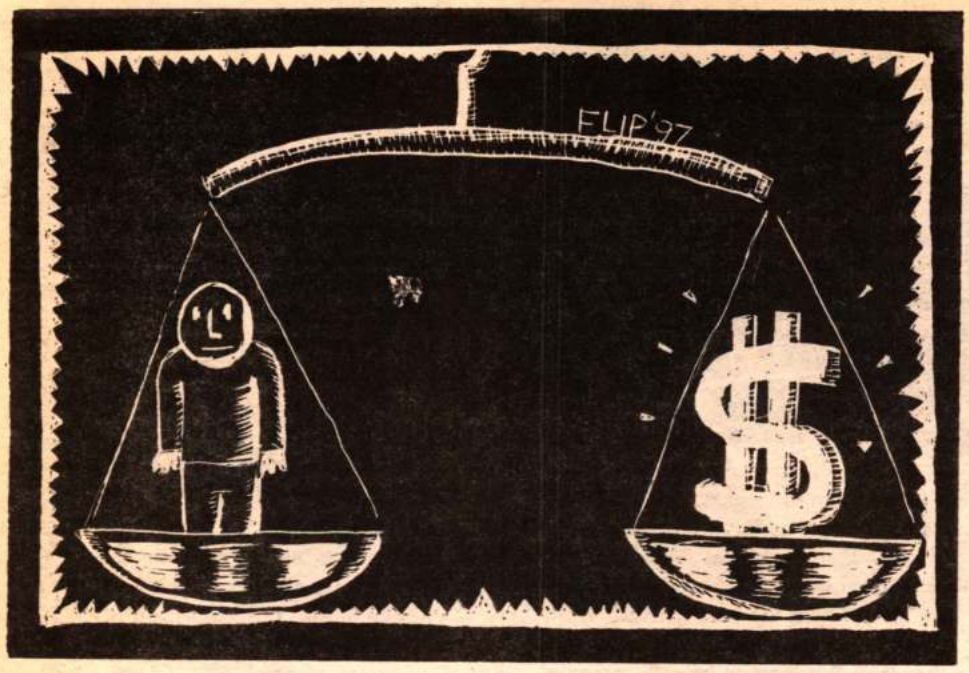

HOW TO SUE YOUR LANDLORD

By Anita Eliot, Attorney At Law

A Housing Part, or HP action is a housing court proceeding initiated by a tenant asking the court to order a landlord to make required repairs or provide necessary services. Any conditions which affect life, health, and safety apply. They may be as significant as lead paint, problems with cockroaches, mice or rats, lack of heat, hot water or electricity or as minor as a leaky faucet. A tenant interested in starting an HP Action in Manhattan should go to the Civil Court building at 111 Centre Street, 2nd Floor.

Upon entering the building, proceed to the HP Clerk's office. The clerk will provide tenants with two forms: (1) a Tenant's Request for Inspection on which to list needed repairs (this will result in an inspection of the apartment by Housing Preservation and Development (HPD) who will document housing code violations and (2) an affidavit describing the conditions in the apartment and what steps the tenant took to have repairs made. A third form will be filled out by the HP clerk on behalf of the tenant.

Initiation of an HP action costs $35. However, if a tenant is low-income or receives SSI or SSDI disability or public assistance, that fee can be waived. All forms must be filled out in English. It is therefore recommended that non-English speakers bring someone along who can read and write in English.

After completing the necessary paperwork, a judge must sign the order directing an inspection of the apartment. Once signed, the HP clerk will explain how to serve copies of the legal papers on the landlord and a court date will be set (usually two or three weeks after the action is begun).

On the court date given by the HP clerk, the tenant should return to the courthouse and find the courtroom where the HP actions will be heard. In Manhattan, go to Part L on the 5th Floor. If the tenant has any proof that the apartment needs repairs (i.e., pictures) or that the landlord knew of the conditions in the apartment (i.e., letters to the landlord requesting repairs) these should be brought to court.

On the court date, an HPD report should be in the court file listing any violations which were documented during the inspection. Any conditions listed in the report must be repaired by the landlord within a specified period of time determined by statute. However, even if the inspector does not find violations for items you need repaired, you may bring in pictures to prove that the item is a violation.

HP actions are most commonly resolved by the parties entering into a stipulation (agreement) in which the landlord commits to make repairs or provide services within a specified time period. If such repairs are not made, the tenant may restore the case to the court calendar using forms which the HP Clerk will provide and seek imposition of fines for the landlord's failure to make repairs.

(Anita Eliot is a housing and benefits lawyer affiliated with the New York Lawyer's Guild. The Guild may be reached at (212) 255-4181.)

PROSECUTORS TARGET ACTIVIST ATTORNEY

By A. Kronstadt

The District Attorney's office has set an elaborate legal trap for radical attorney Lynn Stewart in an attempt to have her jailed for contempt of court. Stewart has defended many notorious clients, including Black Separatists accused in a 1982 Brinks Armored car robbery, and Larry Davis, who was acquitted on charges of shooting six police officers in the Bronx. More recently, Stewart represented Sheik Abdul Rahman, an Islamic fundamentalist spiritual leader charged and convicted in a plot to bomb several New York City landmarks. Stewart has also handled cases for squatters and defendants arrested at Tompkins Square Park protests. Currently, Stewart is defending Damien Ponce, a Bronx man accused of supplying the gun used to shoot an NYPD captain. The shooting was allegedly in revenge for the choking death of Anthony Baez at the hands of police officer Livoti, who was acquitted of homicide days before.

Stewart sees her representation of these unpopular defendants as the true reason for the prosecutors' zeal in pressing the unusual charges against her. In a case that took place five years ago, Stewart had been the attorney for Dominick Maldonado, a small-time cocaine dealer on the Lower East Side. The prosecutors in the Maldonado case made the rare move of subpoenaing Stewart before a grand jury for questioning about how her client, Maldonado, was paying his legal bills. Stewart, who has long taken a position against testifying before grand juries on the grounds that grand jury investigations are often "fishing expeditions" based on unfounded suspicions, designed to implicate whole classes of people in crimes and intimidate witnesses into acting as informers, refused. When they obtained the subpoena, prosecutors in the Maldonado case were well aware of Stewart's scruples and knew that she would not testify. As a result, Stewart was indicted for contempt of court, but the indictment was later quashed by a judge in the "interests of justice." However, in early April of this year, the District Attorney's office got a higher court to reinstate the charges, which Stewart is now appealing.

Stewart maintains that the prosecutorial move was an attempt to undermine "attorney-client reliability" by forcing a lawyer to testify against her client. She has strong evidence that Maldonado's case had been sabotaged by the subpoena against her, because, when Maldonado heard that his lawyer had been subpoenaed, he offered his own testimony to the grand jury without telling her. When he did this, he was appointed a "shadow" lawyer who worked behind the scenes while Stewart continued to make court appearances for him, unaware that the "shadow lawyer" was now advising her client on the side. Maldonado went to trial with the other lawyer and was convicted and sentenced to 145 years in jail. He eventually committed suicide at Attica State Prison.

Stewart sees this prosecutorial onslaught not only as a move against her by vindictive prosecutors who are out to get the oft-successful defender of alleged cop-shooters, but as a move against the right to a fair trial generally. She told the SHADOW: "There's nothing left if they take away from a defendant the idea that 'I have somebody on my side 100% who does not answer to the district attorney.'"

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Well, here we are again!! Since our last issue, there has been lots of mobilizing around issues of kop brutality and excessive force, including kops using pepper spray indiscriminately and shooting those nice new 9mm automatic pistols at the drop of a hat. But, according to news reports, we've got a long way to go before anything really changes!!

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Witnesses in the complaint filed with the Civilian Complaint Review Board (CCRB) against 9th precinct kops Collabro and Van Aker in their beating of Lower East Side writer Michael Carter (See SHADOW #39 for more--Ed.) have received notice that the complaint has been investigated and "substantiated" and has been forwarded to the "Department Advocate" of the NYPD, who is responsible for prosecuting "administrative charges" against kops. Though surprising because the CCRB almost never finds that a complaint against a kop is legitimate, this still means nothing because an administrative hearing, unlike a criminal hearing, is internal, and the offending kops never suffer anything worse than a warning or a few days suspension. So far, a hearing date has not been set.

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On January 24, about 100 cops packed a courtroom (were they "on the job?") to protest a plea bargain worked out for three young men who found themselves in the middle of a kop shoot-out (or should we say "shoot-in?") which left 9th precinct kop Keith Prunty paralyzed from the waist down. As reported in SHADOW #37, kops fired more than 30 shots to kill one man during an alleged burglary of a deli that sold drugs on East Third Street. Kops arrested three others, all of whom were unarmed, and it was not clear whether the dead man was armed either. In their zeal to kill, kops fired in each other's direction, and SHADOW sources later revealed that Prunty was shot twice by his own partner, Gerald Derby. Judge Shea took all of this into account and gave the three men less than half of the maximum sentences they could have received if they had gone to trial. According to the *Daily News*, Derby could only say, "It's a disgrace." Prunty declined to comment.

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On January 24, former NYC Transit Patrolman's Benevolent Association head Ron Reale was indicted for racketeering and bribery. Also indicted were four others including James Lysaght and Peter Kramer, lawyers not only for the Transit PBA, but also the 38,800 member NYPD's PBA with which they merged in 1995. The law firm of Lysaght and Kramer is paid over $5 million each year in taxpayer money and union dues to defend city police officers, and has handled numerous police brutality cases. The lawyers are charged with demanding kickbacks from other lawyers who represented transit cops; two former vice presidents of the Transit PBA, Frank Richardone and Thomas Zicchetello, also pleaded guilty to stealing union funds to buy luxury cars.

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On January 23, NYPD Deputy Inspector Henry M. Krantz was suspended without pay for alleged favoritism doled out by the gun licensing office that he headed in dispensing handgun permits.

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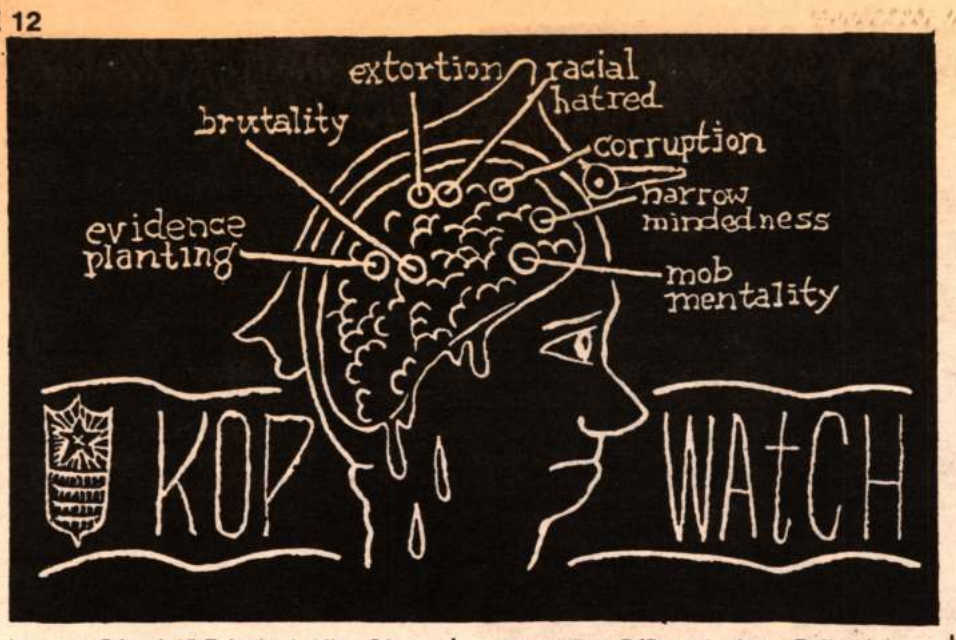
A memo issued in the January/February bulletin of the NYPD Detectives bureau called upon every precinct detective squad to have on file in their precinct a copy of the most current yearbook for each junior and senior high school in its command. While Mayor Rudolph Giuliani defended the policy by saying: "somebody would have to show me what the constitutional right is in having your picture in a yearbook protected and



kept confidential," Principal Allen Liebowitz of New Utrecht High School in Brooklyn has declined to furnish the police with a yearbook asking: "Why should every youngster in the community...be in a police lineup?"

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Mayor Rudolph Giuliani has appointed Tosano J. Simonetti, who until March, 1997, was deputy commissioner of the NYPD, to a seat on the Civilian Complaint Review Board. In appointing former police second-in-command Simonetti to the CCRB, which investigates complaints of police misconduct, Giuliani removed Raymond J. Aab, who had served on the CCRB for almost four years and who had recently defied Giuliani by challenging an NYPD plan to introduce the use of hollow point bullets by NYPD officers.

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Jose Antonio Sanchez, 56, a cook at a social club in Corona, Queens, was shot and killed on February 22 by undercover police who had come to investigate reports of liquor being served illegally at the club. Cops claim that Sanchez came at them with a knife, but it is not clear whether Sanchez, an immigrant from the Dominican Republic who spoke little English, understood that the non-uniformed officers were cops.

***

In Harlem on February 13, two NYPD narcotics officers responding to a report of gunfire between gang members shot and seriously wounded Juval Green, 17, and Robert Reynoso, 18. No guns were recovered at the scene, and lawyers for the wounded youths claim that they were bystanders when the Officers Frank Serevedio and Jose Borrero fired 13 shots at them. The names of the officers involved were not released until 15 days after the shooting.

***

In Fort Greene, Brooklyn, on March 19, police gassed and clubbed a crowd of young African-Americans who had gathered to bid farewell to murdered hip-hop star Christopher G. Wallace, a.k.a. Notorious B.I.G. Cops claimed that some of the spectators at the funeral procession danced on top of cars to B.I.G.'s music and drank beer and champagne in public, thus provoking the discharge of pepper spray into the crowd and the beating of several people, one of whom was repeatedly struck in the head with a large can of pepper gas. Julia Campbell, a reporter from the *New York Times*, was gassed and arrested for allegedly pushing a kop and encouraging others to resist the kops; the charges against her were later dismissed.

***

At about 3:30 A.M. on the morning of April 6, police responding to a call of a fracas at a party on 162nd Street and Amsterdam Avenue shot 16 year old Kevin Cedeno in the back. Initial reports by the police said that Cedeno had rushed at the cops with a machete, but a report by the New York City medical examiner confirmed witness reports that Officer Anthony Pellegrini had shot him in the back. Witnesses to the shooting maintain that Cedeno, a West Indian youth, was fleeing a mob of Dominicans who had confronted him at the party when the cops arrived. The incident provoked a demonstration of a thousand Washington heights community residents on April 10.

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On March 21, Bronx cops shot 48 year old Donald Davidson six times, killing him, after responding to a 911 call from his daughter reporting that her father "had become argumentative and needed to be hospitalized." The police claim that Davidson had attacked them with a kitchen knife, but the same family members who had summoned them maintain that Davidson was shot twice in the back by the cops while attempting to flee a cloud of pepper spray. Adrienne Matthews, Davidson's daughter, said that when she opened the door the cops were standing there holding styrofoam cups of coffee and that one of them said: "I'm on my coffee break; this better be good."

****

The NYPD has announced the intention to switch to a stronger form of pepper spray by the end of 1997. The inflammatory gas, which is made from an extract of cayenne pepper, has been used to disperse demonstrators in situations ranging from Lower East Side squatter demonstrations to protests by City University students over tuition increases. Complaints about use of the spray rose 254% between 1994 and 1995. Several cases are on record of people who have been sprayed with the chemical later dying while in police custody.

****

On April 17, the *New York Times* reported that former NYPD narcotics detective Constantine Chronis, who is free on $200,000 bail on charges that he helped another man beat Shane Daniels, a young African American, into a coma in a Westhampton Beach, Long Island parking lot, is attempting to have his charges dismissed. Chronis stands accused of having held his service revolver on a group of Shane Daniel's friends as Chronis' drinking buddy and fellow body builder Austin Offen pummeled Daniels with a steel steering wheel lock. Chronis' lawyer maintains that Chronis' action in holding Daniels' potential defenders at gunpoint was an attempt to break up a "brawl." Daniels still suffers from lost peripheral vision in one eye and walks with a limp.

***

An Allegheny Pennsylvania judge ruled on April 22 that two white cops who had been accused of beating Black motorist Johnny Gammage to death in 1995 should not be tried for involuntary manslaughter. Judge David Cashman ruled that the prosecutor "had bowed to public pressure" in filing charges against former Lieutenant Milton Mulholland and officer Michael Albert. Gammage, who was driving a Jaguar through the exclusive Pittsburgh suburb of Brentwood, was stopped because police saw his brake lights flashing. When he emerged from the car, he was carrying a cellular telephone that the cops claim to have mistaken for a weapon. The cops pinned Gammage to the pavement causing him to suffocate from pressure to his head and neck.

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When your surfing the internet, check out the Global Kop Watch site run by SHADOW Kop-Watchers. You can share experiences and kop photos with the rest of the world. The address is: http://mediafilter.org/globocop.

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If you have anything to share with Kop-Watch (reports, photos, undercover kop car license plates, etc.), please send it to: The SHADOW, P.O. Box 20298, New York, NY 10009, Attn: Kop-Watch

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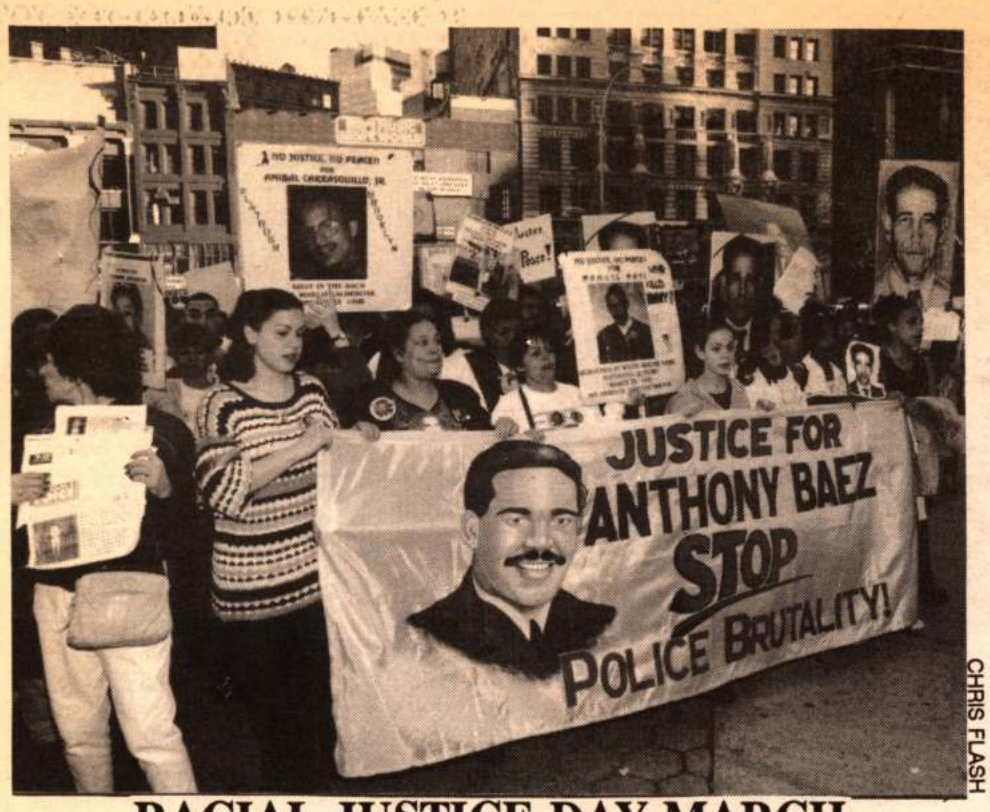

CHRIS FLASH

RACIAL JUSTICE DAY MARCH RAPS POLICE BRUTALITY

By Karen Norden

"Dump Giuliani and chil killer cops!" These words echoed throughout Lower Manhattan on April 7 as thousands gathered in City Hall Park for Racial Justice Day 1997. The annual rally, sponsored by the National Congress for Puerto Rican Rights, protests police brutality and racial violence--both all-too-frequent occurrences in this often racially divided city. Just one day before the protest, sixteen-year-old Kevin Cedeno was shot in the back by killer cop Anthony Pelligrini. Cedeno was walking away from the officer when Pelligrini, later cit-ing self-defense, shot him from behind, execution style. Police brass made a big stink about how Cedeno had a record and was carrying a machete (admittedly not a good idea) but since when is that grounds for execution? Cedeno's distraught mother asked that of the police as she addressed the crowd in City Hall Park. She was joined by family members of other police victims, including Anthony Baez, who was killed by chokehold-wielding cop Francis Livoti. Livoti was recently dismissed from the force, largely due to the efforts of the organizers of Racial Justice Day.

The huge rally, originally scheduled for March 31 but postponed because of the weather, started at 5 P.M. in front of City Hall and then proceeded to march through the streets of Lower Manhattan. Although the rally had been planned for months, the media interpreted the demo as a response to the shooting of Kevin Cedeno. Cameras rolled as police victims marched alongside supporters from the National Congress for Puerto Rican Rights, Committee Against Anti-Asian Violence, Parents Against Police Brutality, and other groups, including *SHADOW* copwatchers. After the nearly two-hour march, the rally cul-minated in a concert and speakout in Washington Square Park.

To get more involved in the issue of police brutality, call the NCPRR at 631-4263. Also read *SHADOW* listings and KOPWATCH.

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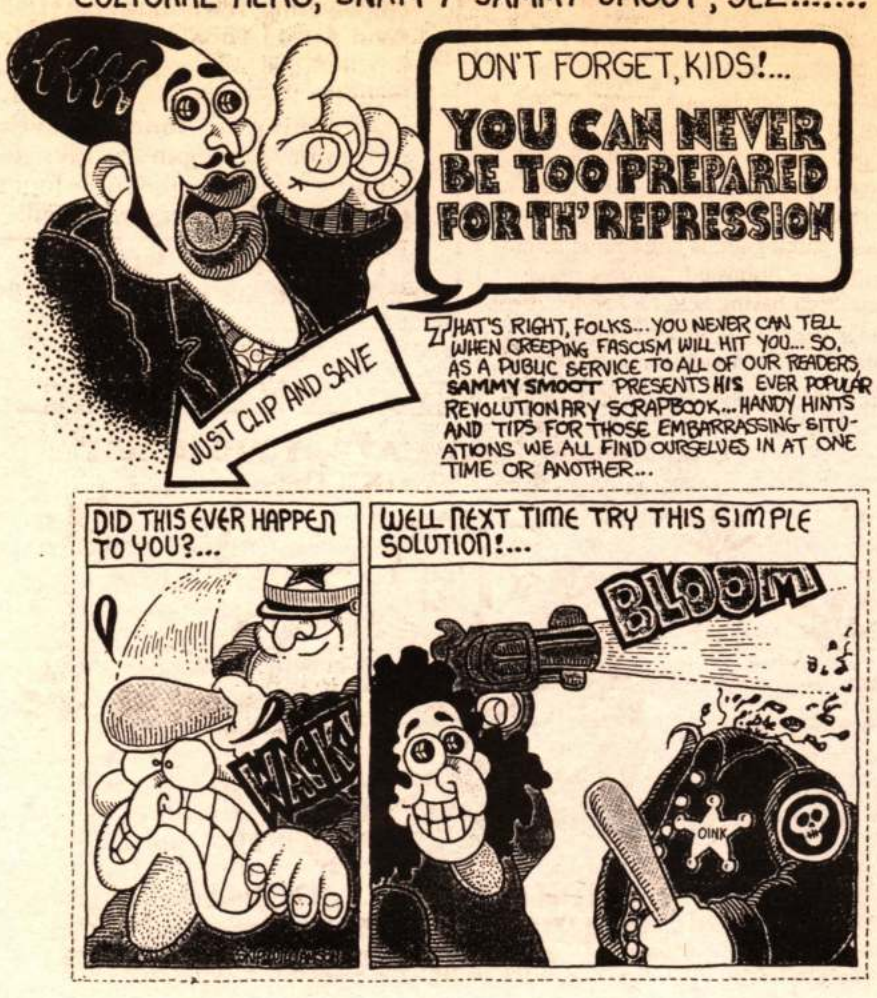
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BLOOM
OINK

LAWYERS AND ACTIVISTS SLAM POLICE BRUTALITY

By Angela Mehira Bocage Gilden

On the weekend of April 25-27, the first National Emergency Conference on Police Brutality was convened by the Center for Constitutional Rights and the New York City chapter of the National Lawyers Guild; the conference was joined by anti-racist organizations from all over the country. Initial sessions, including a packed Town Meeting that filled Hunter College's main auditorium to overflowing, addressed the extent of what participants repeatedly referred to as "epidemic" police abuse. Participants spoke passionately of loved ones murdered and murders and assaults that were covered up. Themes emerged that were echoed throughout the conference: that a climate of police impunity bolstered by a "code of silence" and facilitated by an "us and them" attitude--according to Ron Hampton of the National Black Officers' Association and a speaker from Black Cops Against Police Brutality--infects even recruits of color "from the day they enter the doors of the Police Academy."

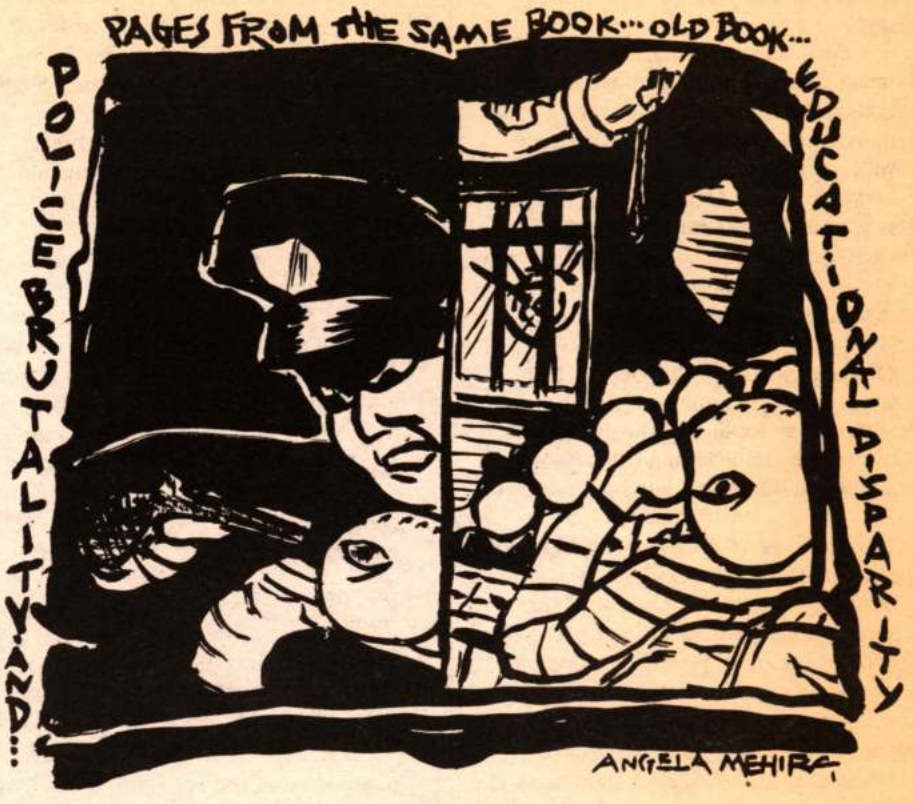
A speaker who had resigned from New York's Civilian Complaint Review Board decried the powerlessness of such review without "teeth"--without subpoena power and an independent prosecutor to investigate and vigorously prosecute cop crime. He joined the African-American officers in citing the Police Academy as a breeding ground for a racist and brutal police "corporate culture" as well as a waste of the taxpayers' money: "Everything an officer needs to know about criminology and police science could be learned better and more cheaply at John Jay [College of Criminal Justice]--the Academy fosters instead separation from the communities."

A fact sheet distributed by Amnesty International underscored the fact that most of the cops policing New York come from white enclaves. A bitter twist to the recent murder of young Kevin Cedeno, shot in the back by police in Washington Heights, was brought forward by a neighborhood organizer who spoke of recent transfers out of Washington Heights of Black and Hispanic officers who knew Kevin and had played afterschool basketball with him.

Despite these critiques, a deeper theme of this conference was the need for much more than reform. Van Jones, who works with San Francisco Police Watch, spoke of the effectiveness and strength of organizing against police abuses. SFPW is part of Bay Area Cop Observation Network (BACON), which was also represented by Danyell from Berkeley's Copwatch. BACON has not only succeeded in raising awareness on the issue and getting rid of problem pork, but has also brought about the resignations of the three members of the SF Mayor's elite police commission who supported the bad cops. "Anybody who says,'they're so big and powerful and we're so disorganized and helpless'--that's BULLSHIT," asserts Jones.

However, Jones, like Richie Perez of the National Congress of Puerto Rican Rights, Loretta Prenthorn of Buffalo's police brutality task force, and many other community members, emphasized that police brutality could only be stopped completely by transforming the system out of which it arises--a system in which cops exist to protect the oppressors and their property from the oppressed and their anger. Perez insisted that we also "be very clear: voting is not gonna do it!" Like many, he trusts instead people taking action--as Van Jones put it, "militant in-your-face action."

Among other speakers equally clear on the need for organized mobilization of all types was a representative of the Uhuru movement from South Florida, where an African American community practiced self-defense--in the face of a concerted police attack on their neighborhood after a young man was murdered during a police traffic stop--so effectively that they brought down a police helicopter! Lawyers from Chicago recounted a case where a twenty-year reign of terror by a police official who had brought back torture equipment from Vietnam and used it systematically against African-American detainees was exposed and forced out by good teamwork between lawyers and organizers. The conference offered a sobering overview of police abuse, but also a hopeful beginning to national organizing and information sharing. To be part of our ongoing efforts to track and register instances of police abuse or inquire about materials from the conference, call the Center for Constitutional Rights at: (212) 614-6464.



LISTINGS LISTINGS LISTINGS

MAY 1: REFLECTIONS ON 1960s: Reflect on civil rights, Vietnam, LSD, etc. *Nation* magazine forum with Bella Abzug, Daniel Ellsberg, Paul Krassner and others. Town Hall, 123 W. 43rd St. 8pm, $15. 212-840-2824.

MAY 1: EDUCATION REFORM IN NY STATE: ACLU forum on its plans to fix public schools. Norman Siegel, Arthur Eisenberg, others. ACLU, 132 W. 43rd. Free. RSVP. 212-382-0557.

MAY 1: 11th ANNUAL SQUATTER MAYDAY: Concert, smoke-in and pig roast. Tompkins Sq. Park 2-6 P.M. Free.

MAY 1: FREE LEGAL ADVICE: In celebration of National Law Day, volunteer attorneys from NY County Law Assoc. will be available for free advice. P.S. 124, 40 Division St. 3-7 P.M.

MAY 2-7: CALLIGRAPHY OF POWER: The autograph as pop art. Over 100 signatures including Beth B., David Bowie, David Byrne, Jim Jarmusch, Lou Reed. Exit Art. 548 Broadway. Free. 212-966-7745.

MAY 3: TENANT POWER: Workshops in Non-Violent Civil Disobedience as a tactic to preserve rent stabilization. Sponsored by NYC Chapter of the Nat'l Lawyers Guild. 1pm. U.A.W. Union Hall, 71 Fifth Ave at 15th St., 6th Floor. 212-255-4181.

MAY 3: WALK FOR LAB ANIMALS: No animal testing! American Fund for Alternatives to Animal Research Walkathon. Start at 72nd St. + Riverside Drive, 10am. 212-242-0390.

MAY 3: 25TH ANNUAL POT PARADE: Mayor Giuliani is trying to stop this one, but he can't!! A parade begins at 1pm at 42nd St. + 5th Ave., but you can just wait at Washington Sq. Park where the real action is.

MAY 4: RADICAL WALKING TOUR OF "EAST VILLAGE": With radical historian Bruce Kayton. Abbie Hoffman, Leon Trotsky, Tompkins Sq. Park, more. Meet 1pm at St. Marks Church (2nd Ave. & 10th St.) 3hr. $6. 718-492-0069.

MAY 8: DANCE OF THE DIALECTIC: Dialectics means that everything contains the seeds of its own disappearance and is morphing into something else. Learn more with Marxist author Bertell Ollman of NYU. Brecht Forum, 122 W. 27th St. 10th Fl. 212-242-4201.

MAY 8: CHINA AND HUMAN RIGHTS: Learn about China's human rights abuses and bogus U.S. policy. Reading from "Letters from Prison" by Chinese author and political prisoner Wei Jingsheng. Asia Society, 725 Park Ave. $15. 212-288-6400.

MAY 9: DIA ART CENTER POETRY READING: Home of trippy art hosts poetry with Eavan Boland and Adrienne Rich. Dia Center, 548 W. 22nd St. 7:30pm., $5. 212-989-5566.

MAY 14: ZAPATISTAS: VOICES ON THE VERGE OF REVOLUTION: Screening of video "Victory?" and dialog on the indigenous rebel struggle. Learning Alliance, 324 Lafayette St. 7pm, $7. 212-226-7171.

MAY 15: TENANT POWER: Workshop in Non-Violent Civil Disobedience. See May 3rd for details. U.A.W. Hall, 7pm, 212-255-4181

MAY 16: SAVE THE GARDENS BENEFIT: Featuring Bernadette Mayer's "Garden Poem" and Bill Kushner. La Mama/La Galleria, 6 E. 1st St. 7-10pm., $5. 212-505-2476.

THROUGH MAY 17: CONFRONTATIONS--THE GUERRILLA ART ACTION GROUP: Art, books and print stuff by the radical SoHo artists of the '60s and '70s. Printed Matter Books, 77 Wooster St. Free. 212-925-0325.

MAY 18: RADICAL WALKING TOUR OF GREENWICH VILLAGE: Draft riots, murder, Prohibition, Rosenbergs, etc. Meet at Village Cigars, 7th Av. So. + Christopher St. 1pm., 2 1/4 hr. $6. 718-492-0069.

MAY 20: TENANT UNITY DAY/SHOWDOWN '97: Republican senators led by Joe Bruno want to end rent regs so their friends the landlords can make more money (and give more campaign contributions). Showdown '97 is sending thousands to Albany to rally and confront senators and reps. Get to Albany by 10:30am. To make appts to meet with pols, call 1-800-767-6336. Info: NY State Tenants and Neighbors: 212-695-8922 or Met Council: 212-693-0553. Buses provided by Tom Duane leave Sheridan Sq. at 6:45am ($15.) To register for rides, call: 212-929-5501.

MAY 23: ZAPATISTA TALKING CIRCLE: Politics of movement building with NY Zapatistas (affiliated with Love + Rage). Learning Alliance, 324 Lafayette St. 7th Fl. 7pm., $5. 212-226-7171.

MAY 30 & 31: FREEING THE LOCAL MEDIA: Two day workshop and teach-in on independent media sponsored by Paper Tiger TV, Cultural Environment Movement, and Learning Alliance. Work toward forming a progressive, multicultural citywide independent media alliance. Learning Alliance, 324 Lafayette St. Friday 7pm., $10; Sat. 10am-5pm. $15. 212-226-7171.

JUNE 1: 3rd ANNUAL ANTI-DEATH PENALTY DAY: March and Rally. For info call NYCLU at 212-382-0557.

JUNE 4: SUBCOMMANDANTE MARCOS ON PAPER TIGER TV: Zapatista leader addresses NYC media makers on public access. Tuesday June 4 at 8pm. on Channel 34. For info, call Paper Tiger at: 212-420-9045.

JUNE 6-19: HUMAN RIGHTS WATCH INTERNATIONAL FILM FESTIVAL: The world's only film fest devoted to human rights. Walter Reade Theatre. 165 W. 65th St. Call: 212-875-5600.

JUNE 8: RADICAL WALKING TOUR OF CHELSEA: Emma Goldman, Margaret Sanger, Anarchist Carlo Tresca. Meet at Chelsea Hotel, 222 W 23rd. 1pm., 2 1/2 hr, $6. 718-492-0069.

JUNE 11, 12 & 13: TULI KUPFERBERG READS ROLLING STONE: Tuli dissects the alternative mainstream magazine on Paper Tiger T.V. in this 1984 classic show. June 11 at 8pm. on Channel 34; June 12 at 11pm. on Channels 34 + 67; June 13 at 12am. + 5:30pm. on Channel 68. 212-420-9045.

JUNE 12: MICKEY, MAO & ME: Tibetans marched from Canada to NYC to raise awareness of Tibetan injustice. Reps from Tibet Independence movement and Tibetan Cultural Center speak. Learning Alliance, 324 Lafayette St., 7th Fl., 7pm. $10. 212-226-7171.

JUNE 18: REFLECTIONS ON HONG KONG'S PAST, PRESENT AND FUTURE: 2 weeks before China takes over, Columbia University's Michael Tsang-Woon Tsin discusses Hong Kong's future. Asia Society, 725 Park Ave., 6:30pm., $10. 212-288-6400.

OPENING JUNE 18: KEITH HARING EXHIBIT: First U.S. retrospective of this East Village graffiti-turned-pop artist. Through Sept 21 at Whitney Museum, 75th and Madison Ave., $8. (Free Thurs. 6-8pm) 212-570-3676.

JUNE 19: LOOKING FOR SPACE: Discussion with filmmaker Kelly Anderson on gays and lesbians in contemporary Cuba. Brecht Forum, 122 W. 27th St., 10th Fl. $6. 212-242-4201.

JUNE 23: GAY PRIDE WEEK LAUNCH PARTY: 14th annual garden party and fund raiser sponsored by the Lesbian and Gay Community Center (208 W. 13th St.) Outdoor festival with dance, comedy, food + more. 212-620-7310.

JUNE 26: "THE TRANSFORMATION": Film and discussion of transvestite community in NYC with filmmakers Susana Aikin and Carlos Aparicio. Brecht Forum, 122 W. 27th St. 10th Fl., $6. 212-242-4201.

JUNE 27: COMMUNITY EMPOWERMENT: Discussion with tenant organizer Nelly Bailey, director of group Community Vision. Sponsored by NY Zapatistas (affiliated with Love + Rage). Learning Alliance, 324 Lafayette, 7th Fl., 7pm., $5. 212-226-7171.

JUNE 28: RADICAL WALKING TOUR OF CENTRAL PARK: Trees, grass and working class, Vietnam protests, John Lennon, WHAM. Meet at USS Maine monument at Columbus Circle. 1pm., 3 hrs., $6. 718-492-0069.

JULY 11: BILL AYERS ON BEING IN THE WEATHER UNDERGROUND: In 1970 the Weathermen formed and spent 11 yrs underground advocating armed struggle. Former member Bill Ayers talks on his experience and politics. Learning Alliance, 324 Lafayette St., 7th Fl., $7. 212-226-7171.

JULY 12: RADICAL WALKING TOUR OF LES: Radical Jews, Emma Goldman, Socialist Congressman Meyer London, 1910 Riots, more. Meet at Educational Alliance, 197 E. Broadway. 1pm., 3 hrs, $6. 718-492-0069.

JULY 20: RADICAL WALKING TOUR OF WALL ST: Abbie Hoffman at the Stock Exchange, Takeover of Statue of Liberty, Bombing of J.P. Morgan, more. Meet at old Customs Bldg across from 2 Broadway (Bowling Green), 1pm., 2 1/2 hrs. $6. 718-492-0069.

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ANARCHIST RESISTANCE TO FRANCO: Biographical notes and a who's who of the 1936 Spanish Civil War by Antonio Tellez. Available through AK Press, P.O.Box 40682, San Francisco, CA 94140 for $3.00.

GUITARIST, VIOLINIST + BASSIST WANTED: By a tribal rock + roll band with a folk/psych sound, based on the Lower East Side. Call 212-473-7528.

SHADOW REPORTER and freelance investigative journalist seeks volunteer researcher to help organize files, monitor the press, do library work, etc. Must be motivated, organized, interested in environmental issues, native rights, revolutionary movements, etc. Experience for aspiring journalist, internship possible. Leave message at: 212-631-1115.

GROVE CITY JANE: I don't know what you are afraid of, but I will respect your wishes. I hope you will explain someday....

COLLECTOR SEEKING old political memorabilia: pins, buttons, ribbons, badges, posters, 3-D items, from all parties. Esp. seeking socialist, communist, suffrage, anti-war, civil rights, black power. Items for Victoria Woodhull, George Francis Train, Horace Greeley, Samuel Tilden, Eugene Debs, Earl Browder, Al Smith, Charles Evan Hughes. Please send photocopy or description + price to: John Gingrich, P.O. Box 358, Lexington, GA 30648, or call 706-743-3420.

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CUM YOUR BRAINS OUT on the nympho hotline. As wild as it gets! 1-900-993-2528 + 1-800-587-6662. $2.50/min. 18 yrs + .

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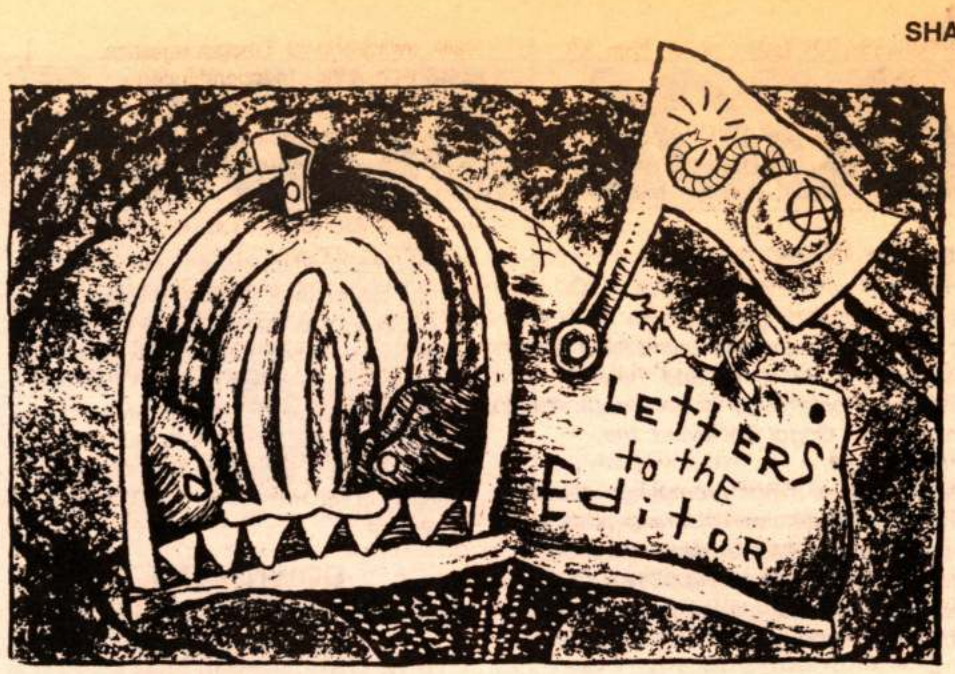

Dear Shadow,

On Sunday, Feb. 9, a small fire broke out on 5th St. in an abandoned city building which had been rehabilitated by squatters. We watched the fire dept. take their time putting out the fire which would have affected only two units had they efficiently done their job. Instead the fire spread to six units, a very small quadrant of the building. Still, we watched the Mayor's office and the HPD take advantage of the disaster. No one entered the building, yet within 5 minutes, a city official condemned it as structurally unsound and issued a demolition order. Residents had been fixing the building for over three years and a neighborhood architect had only months before declared the building structurally sound. In the face of real estate interests backed by the Mayor, such efforts meant nothing.

On Sunday night the residents of 5th St. were told they would be allowed... back in the building to retrieve their possessions...Monday at 10:00. Instead, city workers went in and brought out a few boxes, coats, blankets and bags. Time was ticking and the City decided to begin demolishing. Not one resident retrieved their possessions. One squatter made it back into the building. Everyone outside the building shouted "stop, stop, there is someone in the building," but no one would listen. Everyone was yelling up to the squatter to show his face...Finally the squatter turned up on the roof. The police went into the building to try and find the squatter...came out empty handed. Demolition stopped; resumed. Meanwhile, our lawyer had been awarded a stay on the demolition by a city court. The demolition forces knew that what they were doing was illegal. But when our lawyer brought down the stay, it was to no avail. They kept on demolishing.

Fifth St. and Ave. B were occupied for two days by over 150 gun-toting police officers and over 40 police wagons. A representative of the Mayor's office who seemed to be in charge of carrying out the demolition order would not give his name. He lied and told me that squatters would have their home back the next day. He then lied and said that they would be given the opportunity to retrieve their possessions. Our lawyer tried to find a representative from the HPD so that she could enforce the stay against the demolition, but she could find no one. We know that the police are not responsible for the demolition order...but they are the only forces we have access to.

What many of us know and have experienced at the hands of the City is enough to disempower anyone. But we have created another illusion which has allowed us to live and affirm life. We have created an illusion of a new society which we are carving out within the dominant society in the Lower East Side. We have built a bookstore/info shop, a radio station, a performance art space, galleries in squats, a Food Not Bombs chapter, and so much more. As Billy Bud Thornton in Sling Blade says, "we live in our hearts and that is an awfully big place to live."

--Sharin Elkholy, NYC

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Dear Shadow,

I was a resident at the 5th St. Squat and was in the building when they started tearing it down, walls shaking, friends screaming outside. After attempted murder by the mayor and his pals, after the dust has settled, it's time to look forward.

What now? What's left of our home and our lives scattered in heaps out in a landfill in Queens. We are! We're still here fighting. We're here to stand up and be counted among the living. It's like a strange nightmare--flashes of news reports, police cold steel, piles of rubble--the administrative voices dictating terms: an "abandoned building," the "empty lot." Wrong! A thriving community center, a free café, a beautiful garden, a home. No, Benito Giuliani, we are here, we are alive and we can't be swept away like yesterday's trash. And you will answer for your actions in court. The mayor of New York Shitty has been lawfully served a summons to appear in Criminal Court. If ignored, a warrant will be issued for his arrest. What you have destroyed is nothing but bricks. We are still here.

Hard lessons to learn, but as a community we see how fragile this life is, the life of a home. Buildings fall but we fight on. It is a battle worth fighting and we can be proud we stood our ground; we didn't take up arms, we showed them to be the vicious greedy criminals that they are without resorting to their tactics. Now the city has been told to settle with us out of court--Judge Kapnick has obviously found the city guilty and wants to spare us a lengthy trial. However events unfold we are determined to make the city pay for what they did, and keep them from doing it again. The whole neighborhood is in an uproar: a toxic cloud of dust, the main gas seals compromised, holes punched in a neighboring building, buildings endangered down the block. And with the possible end of rent regulation people are finally starting to realize it is not just squatters under siege. They're ready to throw everyone into the streets.

What is so reaffirming for me is to see the whole community come to our aid, scream their outrage, help in court, offer housing. It makes you see it's one movement. All the bullshit headtrips and bickering fades away and we are a single force to be reckoned with. We lost that building. Nothing can bring it back. But the seeds we planted are still growing. Our weekly café concept has caught on in other squats. The women's health collective continues. The squats are opening their community rooms to the outside world. Fire safety has become more of a priority than ever. Support has been pouring in from across the globe. If an active spirit is what they want to destroy, they have only fueled my desire to fight. That which does not kill me only serves to make me stronger. With all their guns and machinery of destruction, we are still standing, still fighting. From the flames the phoenix rises reborn. Five never died!

--Brad Will, NYC

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Dear SHADOW,

What now? What next? How will we ever replace what we have with a truly humane-human existence? The onslaught and assault is overwhelming.

Do we work our way up in the pyramid or work to level it off?

Production without wages implies distribution without money.

--Frank, Wisconsin

PRISONER MAIL:

Shadow,

Hi, my name is Jason Moreland, and I live in a backwoods redneck county in Georgia. The filth who patrol and control this county want me in jail. I am enclosing a flyer about my case [see below for excerpt] it will tell you what you need to know. For more information write: Circle A, P.O. Box 80967, Chamblee, GA 30366.

[On July 28 Jason Moreland was arrested for "advocating the overthrow of the government" after he produced a small magazine entitled *Rise Above: Anarchy and Peace*. Included in the magazine were...pictures, a few handwritten opinions, and a recipe for a Molotov cocktail... copied from the *Anarchist Cookbook*, a book that can be purchased almost everywhere...Jason only distributed about 33 copies at a punk show in May, but it wasn't until the day after the Olympic Park bombing that a warrant was issued for his arrest. In January, Jason was indicted on a charge of "unlawful training in use or making of dangerous weapons." Clayton County D.A. Robert Keller said "based on the facts, this is a more appropriate charge." One month later, this indictment was dropped, but because of police pressure Jason has been reindicted. He faces up to five years in prison--Ed.]

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Dear Shadow:

I have one complaint about the Sub-Culture section in SHADOW #40. Nikky Merotta talked about physician-assisted suicide. Maybe she doesn't know the facts; first off she made the whole thing sound like some sort of Nazi conspiracy when in fact it's not like that at all. To be eligible for assisted suicide an individual cannot be just disabled; you have to be terminally ill. The whole thing is done through contracts and with total consent--maybe she has never heard of freedom of choice. If someone is terminally ill and feels that they can't or don't want to go on in this screwed-up society, why not go to a physician who is qualified to assist you in self-deliverance instead of messing yourself up even more so you can suffer even more than before.

If you can get this to Nikky Merotta, maybe she can do some research and get the facts.

--Jerry J. Williams #943700, P.O. Box 30, Pendleton, IN 46064

Dear Jerry,

To be adamantly opposed to physician-assisted suicide does not imply that I am against an individual's right to suicide. Though it is sad, no one can take this away from you. If physician-assisted suicide becomes legal, don't you think economics and eugenics (the concepts of judging others as inferior, defectives and useless eaters) would come into play? And with the present state of health care already so lacking for the poor!

You are entitled to your opinions, but I, sir, think that you are uninformed and should get the facts straight. You can start by getting a subscription to *Mouth* (Voice of Disability Rights, 61 Brighton St., Rochester, NY 14607), a zine devoted to opposing physician-assisted suicide. They have hardship rates if you have no money.

The next letter illustrates how the medical establishment already kills the poor and they don't even have the right yet!

--Nikky

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To Whom It May Concern:

I am a dialysis patient and prisoner at the Federal Prison in Otisville, N.Y. and it is my firm belief that the U.S. Bureau of Prisons administrators, medical staff, and a private contractor have been trying to kill me by denying me adequate dialysis treatment and access to a kidney transplant to get well and have a longer life expectancy.

I have a lawsuit for monetary damages in Federal Court for a kidney doctor (who must obtain his own lawyer) who knew I had excessive fluids around the heart which caused me to spit up blood. I couldn't breathe and couldn't eat for days but they refused to send me to the hospital.

Can anyone refer me to a reputable lawyer who practices personal injury/malpractice? I am given a month by the court to respond to motion or this lawsuit will be dismissed.

No Justice, No Peace--Michael Walker

[The SHADOW will forward to this prisoner any information or help sent--Ed.]

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Dear SHADOW,

Did you ever think of starting a pen pal service for prisoners? It would give us a chance to rap to each other from different joints in different states.

--Aaron Krizanik #CZ8320, P.O. Box 99901, Pittsburgh, PA 15233

P.S: 20 years old; LSD conviction; send a shovel

Dear Aaron,

We've been thinking about it, especially since we get a lot of mail from prisoners. Starting with our next issue, we're going to list prisoners who want to correspond to other prisoners and/or people on the outside. But, we should mention that many jails don't let prisoners have contact with each other.

Any prisoners interested in this idea should let us know as soon as possible for inclusion in the next SHADOW.

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Dear Dragon Slayers,

I'm down for life (Murder I), got 2 years in. I've also learned a lot about the law and see how these slimy fuckin' bastards fuck everyone over. (I'm innocent in my case; they used "selective evidence collection" to make it appear it was me.) They had no direct evidence but due to the corrupt cops, ineffective counsel and kangaroo court, what could I do, then? Now I know how they operate. I have had 26 people released in 2 years. All pro-bono, so there is a way; you just have to play hard.

--Sincerely, "The Foggy Dawg," Jeffrey Fogg #269799, D-D-4, D.C.C., P.O. Box 500, Smyrna, DE 19977-0500

THE SHADOW NEVER SLEEPS!!

ON GOGOL BOULEVARD

By Neither East Nor West

On Gogol Boulevard (OGB) is a news-service and update produced by NYC Neither East Nor West, networking alternative and opposition groups in the West and Communist/ex-Communist countries, printing news and documents unavailable in the corporate or "left" media, also incorporating struggles in the "Third" and "Fourth" (land-based indigenous peoples) worlds, with a focus on groups with anti-authoritarian and anti-Stalinist perspectives. We take our name from Gogol Boulevard, the hippie/alternative hang-out in Moscow under the Soviets.

OGB is not for anarchists only. We are interested in all things promoting freedom: workers'/women's/minority/gay rights, environmental/self-determination/anti-militarist issues--any struggle pursuing paths outside capitalist and state bureaucratic models. We invite all those with similar perspectives to contribute to ***The SHADOW's*** *OGB section. Please address letters, reports, documents, debates, graphics, photos, etc. directly to OGB at: OGB/NENW-NYC 528 Fifth Street, Brooklyn, NY 11215, or call 718-499-7720.*

SQUATTERS LAST STAND IN CZECH REPUBLIC!

The two remaining squats in the Czech Republic are both facing eviction, and squatters have pledged to resist.

On February 15, squatters from the last remaining squat in Prague, at 28 Sochora Street, resisted a police attack and succesfully defended their building. Police said they had an official order to evict this "house of junkies and dangerous anarchists" so a new bank can be built on the site. In subsequent days, the local police commander threatened to call in the special anti-terrorist assault troops to evict the squat.

Sochora squat, founded in 1992, is one of the last meeting spaces available for the Czech Anarchist Federation (CAF), and one of the last squats left in the Czech Republic. Despite the threats, the Sochora Street squatters are holding out.

On February 19th, some 70 anarchists demonstrated in Prague to show support for the Sochora squat. The action was videotaped by the secret police, but the unit of riot police dispatched to the scene did not intervene, and the rally was peaceful. One banner read, "Homes not banks!"

On the 27th, the Prague city council decided to sell the 16th century Ladronka farmhouse now occupied by squatters on the outskirts of the city to a company backed by foreign capital, which plans to build a luxury hotel there. Ladronka, which may be evicted any day, is currently inhabited by 15 squatters and is a well-known autonomist cultural centre. The building was sold to the real estate developers on very favorable terms.

Prague's once-vibrant squatter scene has dwindled since a law was passed in 1994 instating 2 years in prison for occupying empty buildings. Ladronka and Sochora, the Czech RepublicOs last two squats, are both under seige. The squatters pledge to resist, but need international solidarity.

Write President Vaclav Havel, Prague, Czech Republic, and tell him HANDS OFF SOCHORA AND LADRONKA SQUATS!

Ladronka Tomanova 1, Praha 6, Brevnov, or e-mail CAF at: caf-inter@usa.net

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CZECH AUTONOMIST DECLARATION OF "PROTEST O97"

In February, Czech autonomist activists started drafting a protest declaration against the growing free-market capitalist (neo-liberal) development in the Czech republic. The statement is meant to commemorate the anniversary of the dissident declaration "Charter 77," published exactly 20 years ago. The Czech Anarchist Federation (CAF) reports,"Present conditions in the Czech republic are forcing us to do the same thing. Former Charter 77 activists have become masters of the new capitalist order, like President Havel, who is a mere shadow of the dissident intellectual of the late 1970s and 80s." Last month, Havel expressed again his firm support of Czech entrance into NATO as "the only possibility and guarantee of peace in Eastern Europe."

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POLICE AGAIN HARASS CZECH ANARCHIST

Early in the morning of February 23, Petr Wohlmuth, international secretary of the Czech Anarchist Federation, was again harrased by the police. Walking alone to a tram stop, he was stopped by a police car. Two police assault troops with submachine-guns at the ready forced him to give up his legally-owned gas pistol and identity card and lay down. In a few moments, two other police cars arrived. Petr was forced to wait a half-hour with policemen pointing their submachine-guns at him, until they finally returned his pistol and ID card with no explanation and left the scene. This ambush may be connected with Petr's lawsuit against the police, launched in 1993, after an attempt to imprison him on an assasination attempt on the chairman of the Communist Party. Peter was charged for the crime with false evidence, and acquitted. His case against the police is now before the Czech High Court, which will probably uphold the decision of the Prague City Court, ordering the police to apologize publicly in the media and pay damages to Petr.

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DOWN WITH SUPERPOWERS! HELSINKI ANTI-SUMMIT DEMONSTRATION

On March 20, Toivon Internationaali (Hope International), a Zapatista-inspired group of anarchists and other radical youth in Finland, organised a demonstration against imperialism and neo-liberalism in front of the Presidential Palace, where Clinton and Yeltsin were having dinner. Some 60 demonstrators chanted "Bill and Boris--scum go home!", "Down with superpowers, power to the people!" and "Smash imperialism!", and burned a US flag (Toivon reports: "We would have burned a Russian flag too, but noone had managed to steal one!"). As expected, there were at least 100 police to secure Yeltsin as he drove to the palace just 20 meters from the protestors. There were also police helicopters flying above and snipers on surrounding rooftops.

Late that night, activists held a "wake-up-demo" in front of the Hotel Intercontinental, which was reserved for Clinton and the American delegation. Clinton and his delegation were woken up with noise from horns and whistles and shouts "Free Leonard Peltier!" "Free Mumia Abu-Jamal" and "Human Rights now!". After five minutes (and after half of the building had turned the lights back on, including presidential suite), police broke up the demonstration, arresting four. Finnish media reported that Clinton "slept badly because of the noise," without mentioning the main themes of the demonstration, Mumia Abu-Jamal and Leonard Peltier. Says Toivon Internationaali's Reko Ravela: "If the conscience of world leaders doesn't spoil their sleep , somebody has to do it!"

Reko Ravela of Toivon Internationaali and Finland's "Kapinatyolainen" (Rebel Worker) newspaper can be reached at: ravelre@dlc.fi - magazine

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ZAPATISTA CONFERENCE HELD IN PRAGUE

Between March 28 and 30, Prague CAF and other groups hosted a planning meeting for the International Encuentro Against Neo-Liberalism, which is to take place in Spain this summer. This gathering is being organized by the European branch of the international network against the global Free Trade (neo-liberal) order which emerged from the Inter-Galactic Encuentro Against Neo-Liberalism held in Chiapas, Mexico by the Zapatista rebels last year.

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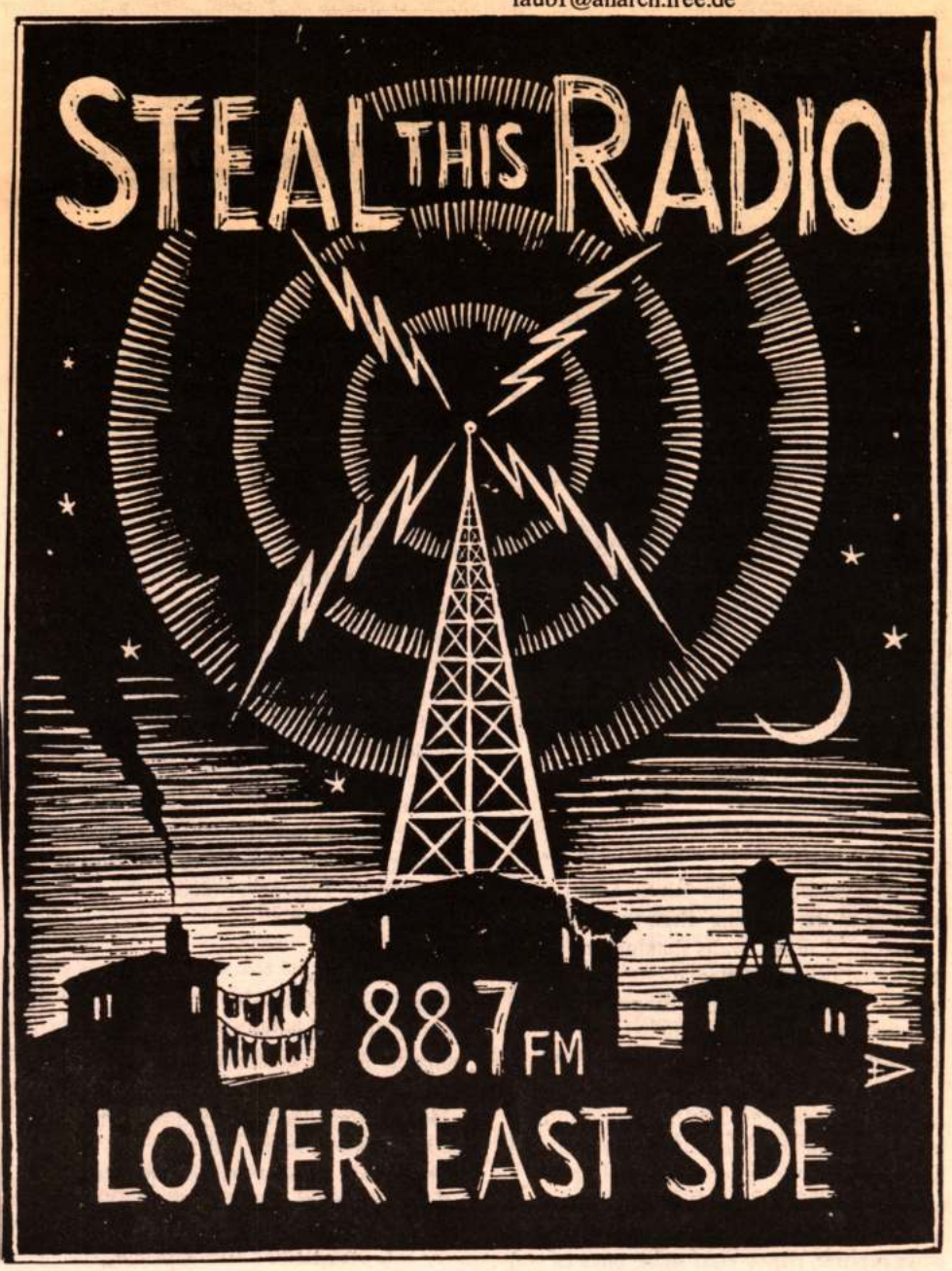
EUROPEAN ANARCHISTS TO MEET IN UKRAINE

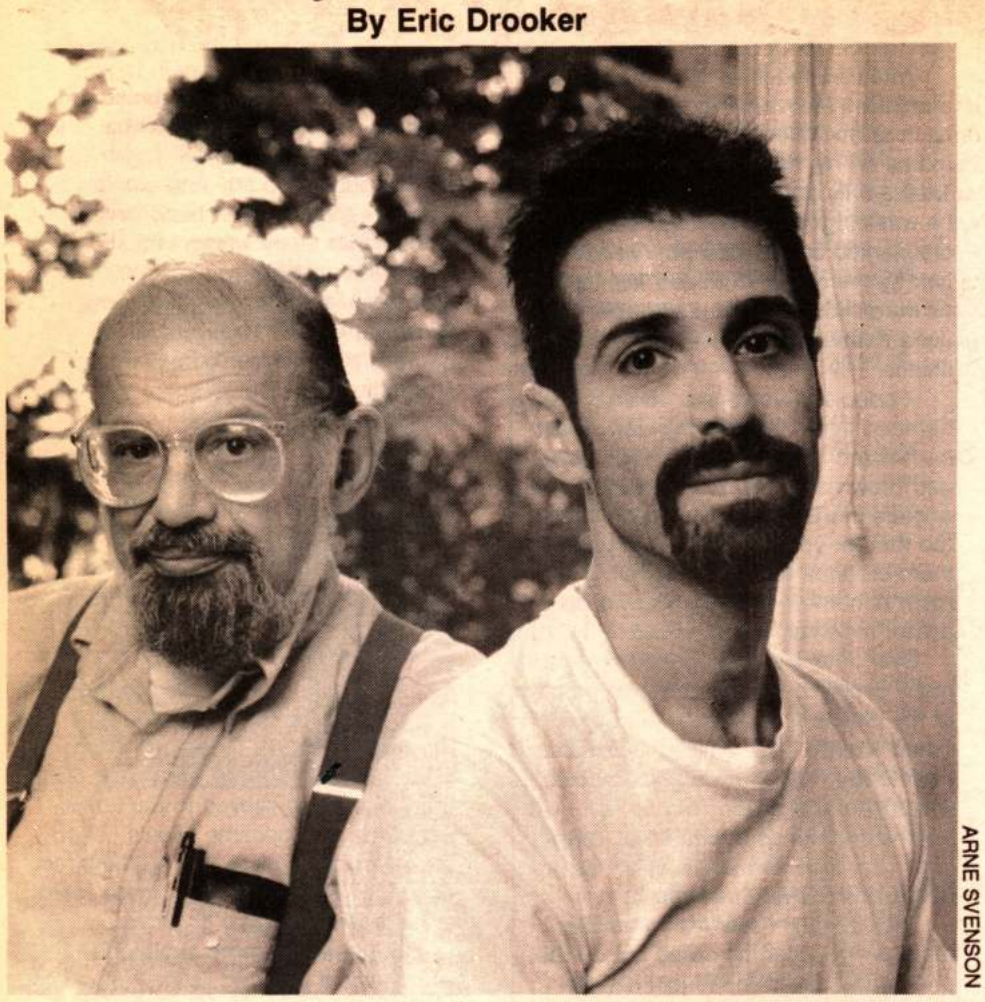
The 6th East-West meeting of anarchists and anarcho-syndicalists will be August 27-31 in Lvov, Ukraine. If you want to participate, contact the Eastern Europe Working Group of the German FAU-IWA - c/o Freie Kultur Aktion e.V., im A-Laden, Rathenower Strasse 22, DE-10559, Berlin. Telephone and fax: 030-3946167. E-mail: faub1@anarch.free.de



ALLEN GINSBERG: 1926 - 1997

My Buddhist Rabbi

By Eric Drooker



ARNE SVENSON

On April 5, the Lower East Side lost one of its most brilliant souls. Remembering him now, as I sit on a bench in Tompkins Square Park drizzle, I see Allen's ghost roaming the neighborhood with curious eyes, bald head, grey beard, melancholy shoulders, cheerful lips chanting:

Born in this world
You got to suffer
Everything changes
You got no soul....
Talk when you talk
Cry when you cry
Lie down you lie
down
Die when you die

Allen was a dear friend I knew from the streets, and though I can't believe that he's *gone gone gone*, the tears I have for Allen are as much tears of joy as of sadness...After all, he lived life to the hilt, inspiring others to expand their field of consciousness. He made every scene there was to make, traveled the whole world round, met everyone there was to meet, kissed everyone there was to kiss, said everything there was to say--*the way he needed to say it*--and then got the fuck out.

Allen Ginsberg began living on the Lower East Side back in the 1950s, along with his literary companions Jack Kerouac and William S. Burroughs. All were influenced by the Bebop rhythyms of Charlie Parker and Charles Mingus--fellow neighborhood residents. The multi-ethnic cacophony and radical Jewish legacy of the East Side fired Allen's imagination as a young poet and social critic.

Into the Cold War darkness of 1955 Allen howled:

I saw the best minds
of my generation de-
stroyed by madness,
starving hysterical
naked/dragging
themselves through
the negro streets at
dawn looking for an
angry fix, angel-
headed hipsters
burning for the an-
cient heavenly con-
nection to the starry
dynamo in the
machinery of the night....

Smack in the middle of McCarthy's witch hunting season, Allen came running naked out of the closet about his homosexuality--and his prophetic inner voice, which he decided to express loud, clear and uncensored. *"The world is holy! The soul is holy! The skin is holy! The nose is holy! The tongue and cock and hand and asshole holy!"*

A radically new attitude of openess, candor and spontaneous insight emerged mid-century--a time of fearful conformity, paranoia and closed public consciousness. The "Beat Generation" as this group of writers and artists came to be known, emphasized compassion for street level souls who were expendable to the blind corporate techno-culture that was America. Passionately articulate, thirty-year-old Allen asked the Question:

What sphinx of ce-
ment and aluminum
bashed open their
skulls and ate up
their brains and ima-
gination? Moloch!
Solitude! Filth! Ugli-
ness! Ashcans and
unobtainable dollars!
Children screaming
under stairways!
Boys sobbing in
armies! Old men
weeping in the
parks!...Moloch the
incomprehensible
prison! Moloch the
crossbone soulless
jailhouse and Con-
gress of sorrows!
Moloch, whose build-
ings are judgement!
Moloch the vast
stone of war! Moloch
the stunned govern-
ments!

Ripping open the hermetically-sealed milieu of academic verse, Allen bum-rushed the guarded vaults of sacred poetry and liberated American language from its ivory tower prison. Stealing poetry back from the elite, he restored it to its rightful purpose: a vigorous method of *communication* available to one and all.

Continued On Next Page

HOWLING FOR ALLEN

By Stephan

there are no stars in a new york night
we find our way by artifical light
dying dharma lion BURNING BRIGHT
inebriated, howling i ride my bike
angry brother in negro street
cab won't stop; he cements his feet
driver but a few shades lighter
we lock hands, appeal to slighter

it was only moments ago
a friend said he loved me
exploding super-nova imbuied his words
ALLEN spoke through ERIC
one final "illuminated poem" heard
breathe deep in this new york night
for stardust shall enter thy psyche
mad boy high on 'crazy wisdom'
terrorizing with generosity
I DID NOT KNOW HE DIED...I DID KNOW HE DIED!
I DID KNOW I FELT MORE ALIVE
insane with desire/groping spectre lovers
all receptive minds grabbed their share
meditated
magnamously..UNANIMOUSLY;
ALLEN IS EVERYWHERE! ALLEN IS EVERYWHERE!
flurries of fairydust dancing
BUDDHA-BREATH recessitates the lower east side
it's a savage soul-kiss catastrophe
all ages, all genders puckering...
the anus of the ages has been penetrated
STAND BACK HE'S COMING THROUGH!
erect of mind settled of sentient being
writing furiously into reincarnation
THE POET NEVER DIES...just publishes in language
THE LIVING CAN'T READ...,

ripoche, oh ripoche, why is this man going?
"because he is truly ready and unafraid;
because he loves us all so generously;
he cannot stay for the endless parade of angst
the bottomless well of compassion
is best used on the living...
AND HE LIVES WITHIN US ALL
he cannot stay and wait for us to fumble about
and make our peace with him
(for that peace has always been made)
he leaves judging no one; (not even himself)
he only asks us "to carry on, carry on"
DO THE WORK, LET NEW WORDS BE BORN!
he cannot stay to see who gets what,
(and who ever got him at all)
THE JOY IS...WE GET EVERYTHING!!!
all ECSTASY and UNDERSTANDING
all babbling BEATITUDES going BLAH,BLAH,BLAH,
I LOVE YOU-LOVE ME!!!!!!!!
(warning to all fortune hunters/grave robbers:)
THE TOMB ISN'T SEALED!
there's nothing to hide/IT'S ALL FREE!
all written down-CAN YOU READ?
no?
i'll read it to you....
G-E-N-E-R-O-U-S-I-T-Y
take it,take IT,TAKE IT! TAKE ME FOR ALL I'M WORTH
(and whatever i'm worth to you)
THAT'S WHAT I'M WORTH
priceless profanity and endless love

BEHOLD THIS GLORIOUS MORNING- APRIL 5th,1997
under cover of darkness, he shed light
EXPLODING DHARMA LION STILL BURNING BRIGHT
VOLCANIC MANTRA
"OOOOMMMMMMMMMS" toward INFINITY
(and i swim in my tears and DANCE FOR JOY)
no sadness AND ALL SADNESS
gentle shepherd who led me to pastures of poetry
to graze upon the minds of immortals
scale rocky mountain height of thinking
and roll naked in cool streams of consciousness
for you who have no children-HAVE MANY CHILDREN
children who must now cry out in stunned disbelief
children who wonder why REAGAN, HELMS, BUSH live
(or is their 'LIVE'but an anagram for 'EVIL')
and children like me who will smoke your ashes,
spout poetry like sores of leprosy
become outcast and love our own company and to the children to be;
BEWARE JOYFULLY
HE'LL GET TO YOU TOO....
ALLEN IS EVERYWHERE! ALLEN IS EVERYWHERE!!!
breathe deep get your share
snort his infleunce LIKE THE ONLY DRUG THE C.I.A. DOESN'T SELL
love his memory/ martyr-smarter-unmentionable-
lover of many mental defective masterpieces-
masterbating-procrastinating on the

road to NIRVANA!
more snapshots / wordshots; THE GIG MUST GO ON
yes!, the muse is laughing at allen's burial suit
(SHE thinks he should have gone NAKED)
soon WILLIAM and WALT will welcome;
"we're all the SAME SOUL"
and who among you is next,
who among you is ready to love the world-[ONE BODY AT A TIME...]

it was a warm fourth of july,naropa
allen and i sat watching the fireworks
zen apolitically
the flatirons of boulder framed incandescent ballet
many chinese demons fled the scene
allen turned to me speaking softly through the explosions
"you know i've sitting here like this for 21 summers-
and i never get tired of this sight... i held his hand
briefly, thanking him for the privilege of seeing through
his eyes; i wished him 21 more....,
allen has never returned to that spot
because allen never left it either
he will sit there in eternity in that wonder-full state long after his sentient being reaches next level
he will sit there and watch explosions of fresh young minds shooting spiraling spitballs of ideas into the faceless face of the establishment and he will sit and witness subsecquent passing of THE BEST MINDS OF HIS GENERATION bursting forth in one final great gasp of divine wisdom
and he will not be bored/HE WILL NOT BE BORED
(unless of course THE WORK isn't done)
for you my friends are the bearded bodhisatva's
FUTURE LIBRARY-THE FUTURE OF POETRY ITSELF!
GO WRITE IN YOUR RIGHT MIND
LEAVE BEHIND LEFT-BRAIN LITANY
yes,yES,YES!;"THE WEIGHT OF THE WORLD IS L-O-V-E"
{raise your hand
if you intend to carry it}

When the 60s arrived, the seeds planted by Ginsberg and the Beats the previous decade began to sprout and, with the advent of the Civil Rights and Anti-War movements, they firmly took root in the mass consciousness of millions of young people. Allen spoke out early against the military buildup in Viet Nam and encouraged countless others to protest the war. In 1965, he was crowned Prague May King, then expelled by Czech police and simultaneously placed on the FBI's Dangerous Securities List. Allen's voice was one of the first to warn of the impending environmental catastrophe if technology and industrial pollution continue unchecked. His interest in Zen Buddhism and meditation, which Kerouac turned him on to in the 50s, deepened with time and over the years, Ginsberg taught thousands to STOP--relax and meditate as a means of centering one's energies when surrounded by winds of change.

An avowed pacifist, he walked the walk: During the bloody Chicago riot of 1968, Allen sat down on the grass and chanted "OMMMMMMMM" to calm himself and those around him. In a violent sea of chaos, an island of tranquility grew as hundreds of people joined his rhythmic chanting. Said Allen later: "It felt like grace. It felt harmoniously right that some psychophysical rarity should be happening on the political occasion as dusk fell on Lincoln Park and the Hancock Building lit up on the horizon. If there'd been panic and police clubs I don't think I would have minded the damage. Clubbing would have seemed a curiously impertinent intrusion from skeleton phantoms--unreal compared with the natural omnipresent electric universe I was in. This was the most interesting thing that happened, for me, in Chicago."

The impact that Allen's poetry and satirism had on rebellious youth culture was far reaching. As Rock & Roll came of age musically, its lyrics matured beyond pop bubblegum verse to a more sophisticated and poetic vision. Bob Dylan was greatly influenced by Ginsberg's poetry, as were Beatles John Lennon and Paul McCartney--all of whom became close friends with Allen and rcorded with him over the years.

In the mid 70s, Ginsberg co-founded the Jack Kerouac School of Disembodied Poetics at the Naropa Institute, the first accredited Buddhist college in the Western world.

Allen's presence was always visible to me--even as a child growing up on the Lower East Side. I was first made aware of him sometime in 1967 when I was an eight-year-old boy riding the 14th Street crosstown bus with my mother...The bus stopped on Avenue A, and a man with black-rimmed glasses and a big black beard entered alone and sat down in front of us. My mother leaned over and whispered in my ear that the man in front of us was a famous poet. I didn't know what to think. What did this mean? What did a famous poet do all day....write poems? As the bus slowly moved forward I sat quietly, looking at the back of his balding head and wondering what he was thinking as we rolled west on 14th Street.

As a teenager I began reading Ginsberg's poetry and dug it immediately. Until this time, most poetry sounded etherial and left me cold, but Allen spoke in an earthy language that I understood. He wrote in vivid word-pictures that I recognized as part of my world, stirring up strange emotions I didn't know I had.

The first time I ever hung out with Allen was during the long hot summer night of August 6, 1988. A tense stand-off between the police and protestors was ominously growing in front of Tompkins Square Park as the police tried to enforce a midnight curfew for the first time in the park's history. A few moments before riot cops clashed with the angry crowd, a taxicab pulled up on Avenue A, and out stepped Allen, bald and bewildered. He was returning to the city after a trip abroad and was unaware of the conflict that was presently erupting into a full scale riot. I ran up to him and quickly explained the situation: Local real estate interests had pressured the police to patrol and curfew the newly gentrified Tompkins Square district and sweep out the homeless, punks, radicals and late night revelers who were keeping property values down.

Suddenly, the crowd went wild as an army of helmeted cops on horses charged up the avenue, swinging nightsticks and attacking protestors and bystanders alike. Allen and I abruptly turned up 11th Street and continued our conversation about real estate, drugs and police corruption. We heard a thunderous sound from above and felt a hot wind blowing from a police helicopter hovering low above us. Amid the sound and fury of this midsummer apocalypse, Allen calmly recited poetry (Blake...or Words-worth?) as we wandered down the midnight street. By this time the riot had spilled out into the neighborhood at large and the police were out of control--clubbing anyone in sight.

When we reached Second Avenue, a shirtless teenager staggered toward us in shock. We noticed long red marks on his back from billy clubs. Allen gently approached him asking if he was alright. The boy was clearly disoriented and frightened. Allen took him by the arm and helped him away as the police charged again down Second Avenue, and I lost Allen in the shuffle.

A couple of years later when I bumped into Allen on the sidewalk and he realized that I was the artist who had drawn so many of the political posters in the neighborhood, he admitted that for years he had been peeling them off brick walls and collecting them at home. He suggested we do a poster together, which we did.

Over time, we collaborated on many projects, bouncing his words off of my pictures. Last year, we published a large book entitled *Illuminated Poems* (By Four Walls Eight Windows), which contains dozens of Allen's poems and songs illustrated by paintings, drawings and strips which I labored on for over three years.

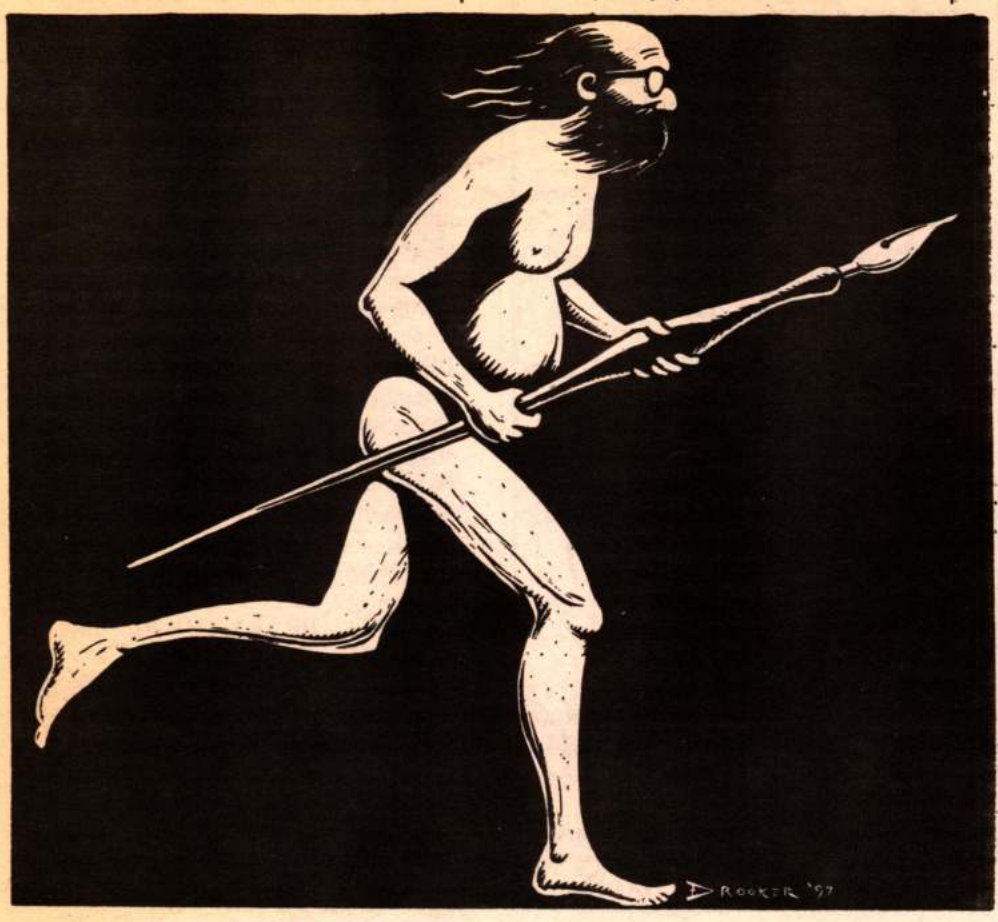
The last time I saw Allen was four months ago when he called me on the phone and asked me to join him for Chinese food at Mee Noodle House on East 13th Street, his favorite restaurant where we would often meet. When I arrived, there was Allen sitting with Peter Orlovsky, his poet friend and lover of forty years. As we ate, we discussed current events as well as my recent slide lecture tour of Europe. I had visited as many art museums as possible over there and Allen was familiar with the works of my favorite painter, Pieter Bruegel. The subject of "The Triumph of Death" by Bruegel arose, and I attempted to analyze the painting as an historical allegory to the Black Plague that swept Europe during the Middle Ages. Allen shook his head, saying that No, the painting's theme was much broader....that the actual subject was *the inevitability of death from which no one escapes.*

He paid the check and we split for Allen's new apartment across the street. After twenty years in a 12th Street tenement, he moved uptown one block to 13th Street in a daring act of upward mobility. (He was having serious heart problems and this new building had an elevator in it.) Allen gave me a grand tour of his new loft space, excitedly leading me from one room to the next, grinning like a kid with a brand new toy. The joint was nice alright, lots of space, light--and the downstairs lobby didn't smell like piss.

Then Allen turned to me wistfully and said "But you know...it's really too bad." "Whatta ya mean?" I asked, "Allen! You've finally arrived!" He had a bittersweet expression on his face. "Yeah, but I could've really used a nice big place like this when I was younger--I could've had great parties in here!...And now...I'm not gonna be around much longer."

He walked me to the elevator and kissed me goodbye. The door swung shut and a minute later I was back on the street again.

As I wander the neighborhood now on this rainy day, I feel the world to be a slightly dimmer place without Allen around--and yet I feel his energy has been transfered to us--Yes! All of us need to turn up the heat several degrees, as we step out of this holy millenium into the next.



Ginsberg Memories

By Peter Lamborn Wilson

Already in New Jersey in high school around 1960 or 61 we were reading Ginsberg and dreaming of living like him. Later in New York--callow hippy youths, too shy and stupid to think of trying to meet famous heros (except Tim Leary whom I met once or twice when visiting acidhead friends at Millbrook)--still thought a lot about Ginsberg--and in 1968, disgusted with the failure of the revolution, largely inspired by his Indian journals, I joined the great drift to the East.

In a way I'm glad I didn't meet Allen till the early 80s, introduced by mutual friend Jake Rabinowitz, since by then I had a few books out and felt less shy. I remember a long conversation between Allen and Jake about Sapphic metre in Classical poetry--I was stunned by his erudition and discipline.

Around 1988 Jake got Allen to get me a gig at the Naropa Institute's Jack Kerouac School of Disembodied Poetics. I've taught there every year since then, and I also moved to the Lower East Side and became Allen's neighbor--used to run into him on the street or at Mee Noodles, etc. Chinese meals at his apartment on 12th Street.

But I saw him more at Naropa every July. If I started listing all the people I met there through Allen it would take up the rest of this article, but I should at least mention the late Harry Smith, surrealist filmmaker and Gnostic Bishop, and my roommate at Naropa, Steven Taylor, Allen's guitarist and close friend. Every year Steven and I would cook at least one big sit-down meal for Allen, and he would cook at least one for us, plus any other poets and students who happened by. The years that Harry spent at Naropa were memorably wild and crazy, the way it was supposed to be--a "legendary" period, unexpected, archetypical. Allen had rescued Harry literally off the street and certain death, and gave him three extra years of life as "Resident Shaman." Considering what a difficult character Harry was, this is a perfect example of Allen's famous and genuine generousness--which at the same time turned out to be a pure wierd blessing for Naropa. Allen's genius for fixing things, arranging hidden harmonies, bringing out the best in everyone.

Teaching at Naropa centered around Allen's weekly "melees" in the tent, which everyone always attended because he gave them as much energy as any poetry reading and frequently flew off into raptures and prophetic speech. I remember one in particular from a few years ago devoted to "late Whitman." Allen literally channeled the aging dying bard--the audience was openly weeping.

Last summer at Naropa everything was slowly changing into an autumned mood. The visiting faculty were stuck in a terrible haunted sorority house way up College Hill and far from Naropa's campus. Allen was pretty sick but still functioning. He had an extra room in his flat and invited me to move in--so I got to live with him for two weeks. We spent a lot of time just talking--but I was glad to see (and am now glad to reveal in print) that Allen had several handsome young poets in his bed during that fortnight. Like Pinder, Allen was loved in his old age, and was to die surrounded by lovers who all still loved him. "Call no man happy till he is dead."

Continued On Next Page

FAREWELL, JUDY BARI

By Bill Weinberg

photo: Eugene Louie

In the early hours of March 2, Judi Bari, a warrior who had come through many battles, died peacefully at her home in Northern California's Mendocino County, of breast cancer which had metastasized to her liver. Bari was the most visible leader of Earth First!'s struggle to save the ancient redwood forests from the timber industry chainsaws. She survived a 1990 bombing attack which left her permanently disabled, was framed for attempting to blow herself up, and was suing the FBI at the time of her death.

Born in Baltimore in 1949, Judi was always a fighter. As a student at the University of Maryland, she "majored in anti-Vietnam War rioting," as she put it to her friends. She was a Retail Clerks Union organizer when she worked at the Baltimore Post Office in the 1970s, and later led a successful wildcat strike at the Washington DC Bulk Mail Center.

Judi moved to Northern California in 1979, working as a carpenter. It was there that she had what she called an "environmental epiphany" on the job. While admiring a piece of siding, she wondered aloud if it came from an old-growth redwood. Her boss blandly replied that the tree it came from was around 1,000 years old. "A light bulb went on. We are cutting down old-growth forests to make yuppie houses," Judi told an interviewer. "I became obsessed with the forests." Judi jumped into the Earth First! movement, teaming up with singing activist Darryl Cherney in 1988. The duo became a musical fixture at redwood rallies, with Darryl strumming guitar and Judi sawing away on her fiddle.

Judi's background as an anti-war protestor and union organizer served her well in confronting Earth First!'s own contradictions and limitations. She was the first and foremost Earth First!-er to stand up to the movement's media-hound national leadership--a clique around Dave Foreman who controlled the *Earth First! Journal* and were spewing racist pseudo-environmentalist hogwash, scapegoating the Third World and immigrants for the death of the planet. With Bari at the forefront, Northern California's Ecotopia Earth First! challenged Foreman's "eco-redneck" crowd and repudiated their xenophobic crap. Other Earth First! locals followed the Ecotopians' example, a grassroots revolt was on, and Foreman was eventually forced to cede control of the *Journal*. He has since left Earth First!

Bari recognized that timber industry propaganda was pitting timber workers against environmentalists, the rednecks against the hippies, the grassroots against the grassroots, while the timber barons laughed all the way to the bank. And she realized that some Earth First! tactics and rhetoric was playing into their hands. She guided Ecotopia Earth First! toward a strategy of non-violent direct action. "Monkey-wrenching"--the physical sabotage of bulldozers, or drilling spikes into trees to snap chainsaws--was officially renounced in favor of open, participatory mass actions like public blockades of logging roads.

Judi's next step was to build bridges between the environmentalists and the timber employees. She started a local of the Industrial Workers of the World--the old IWW, or Wobblies, the radical "One Big Union" which organized militant logging and mining strikes across the West until it was crushed in Attorney General Mitchell Palmer's draconian crackdown in 1920. Bari's Wobbly local at the Ft. Bragg Georgia Pacific mill represented five workers who had been poisoned in a toxic chemical spill. Judi served as a paralegal, writing briefs for the workers' case before the US Labor Department.

Many believe this is what made Judi so dangerous that she became a target.

In 1990, Judi and Darryl were organizing Redwood Summer, a national mobilization inspired by the civil rights movement's 1964 Mississippi Summer--this time calling for idealistic young people to help save the ancient redwoods from the chainsaws of Pacific Lumber, Georgia Pacific and Louisiana Pacific. On May 24, while driving through Oakland on the way to a redwoods rally, Judi's old station wagon exploded. The bomb had been placed under the drivers' seat, and Judi was at the wheel. It was later determined that the bomb was motion-activated.

Judi woke up in the hospital with a fractured pelvis and pulverized tailbone. She also found that she was under arrest--on charges of making the bomb.

Simultaneously, her home, Darryl's home and the Oakland house where they were staying were ransacked by the FBI. From the first, the FBI and Oakland police focused on Judi, Darryl and Earth First! in their investigation of the bombing. The voluminous evidence pointing to the timber industry was completely overlooked.

Judi had long been receiving death threats from anti-environmental paramilitary groups made up of timber workers, with names like the Sahara Club. One even showed her own face in a cross-hairs. The previous year, her car--with her young daughters Lisa and Jessica on board--was rammed from behind by a logging truck, totaling the car and sending her and the kids to a hospital with minor injuries. A fundamentalist zealot calling himself The Lord's Avenger sent a letter to a local newspaper threatening Judi after she helped organize a counter-protest against an anti-abortion campaign at the Ukiah Planned Parenthood Clinic. In the course of Redwood Summer--which continued despite the bombing--a bomb (which turned out to be a dud) was planted at the Earth First! office in Arcata.

Judi later wrote: "I cannot even describe the terror of finding myself in agony in the hospital, crippled for life, reading headlines like BOMB MADE AT BARI'S HOUSE and fearing that I would spend the rest of my life in jail and not get to raise my two small children."

After six weeks, the DA decided not to press charges against Judi and

JUDI AND DARRYL PERFORM AT THE REDWOOD SUMMER ORGANIZING RALLY IN MAY 1990, JUST BEFORE THE BOMBING

Darryl. Originally told she would never walk again, Judi surprised her doctors by walking in a matter of months, albeit with a cane. But the true perpetrators of the bombing remained at large.

In May 1991, one year after the blast, Judi and Darryl launched a federal suit against the FBI for violating their civil rights. The suit especially targeted the FBI's San Francisco chief Richard W. Held who headed the investigation--a veteran of "dirty tricks" campaigns against the Black Panthers, American Indian Movement and Puerto Rican independence struggle.

The discovery process in the suit proved that the FBI was up to dirty tricks again--this time against Earth First! The FBI initially said they weren't watching Judi and Darryl. But documents released in the case (first released *completely blacked out* until the judge ordered the FBI to release them for real) proved otherwise. There were surveillance reports for the months leading up to and following the bombing. Those for the month of bombing were mysteriously "missing."

It was also revealed that the same agents who investigated the bombing had one month earlier led a "bomb school" on a Louisiana Pacific clearcut in Eureka, where they practiced detonating and investigating car bombs. On video tape, FBI instructor Frank Doyle told other agents at the Oakland bomb site, "This is the final exam."

Bari was then pushing a Mendocino County ballot resolution to seize Louisiana Pacific land by eminent domain--the same company that donated the land for the "bomb school."

Even while suing the FBI and learning to walk again, Judi continued the redwood campaign. She was diagnosed with cancer just weeks after the movement's hour of glory on September 15, 1996, when over 4,000 gathered and 1,000 were arrested (including blues star Bonnie Raitt) to protest Pacific Lumber's cutting of the majestic Headwaters Forest in Humboldt County--the biggest forest protection protest in American history.

Now that Judi is gone, Darryl Cherney has pledged to carry on the lawsuit and get to the truth about the FBI's true role in the bombing case. And the movement Judi helped forge will keep up the fight until the last of the ancient redwoods is protected from corporate greed.

Judi Bari was a tough, wise and loving warrior who took on all the right enemies and paid for it bigtime. We know that the most fitting tribute to her life is continue to struggle for the things she fought for. In those immortal last words of Joe Hill, the Wobbly leader who was framed for murder and executed in Utah in 1915--"Don't mourn, organize!"

(For more on Judi and Darryl's FBI suit, see SHADOW #37--Ed.)

Ginsberg Memories...

(Continued From Previous Page)

Allen's funeral in New York was nice. Anne Waldman and Gregory Corso read memorial poems and Gregory quoted Allen's last word to him (on the telephone the day before he died, knowing he was dying): "Toodle-oo!" Some of the Buddhists said Allen's soul was having a hard time leaving this plane because he was worried about Peter Orlovsky. But Steven, who was in Italy when Allen died, reported that he felt (in meditation) a kind of joyful serenity. That was certainly the mood of the funeral.

I used to say that if there were any justice in the world, Allen would be our Poet Laureate. Now that he's gone I would say that he was the Poet Laureate--but of an alternate America--an America of queers, anarchists, drug angels, mad visionaries, lovers--an America that never happened--or is always just about to be born. Our Poet Laureate.

BOOK REVIEWS

***PUBLISHERS: If you have anything you'd like us to review, please send it to us at: SHADOW Press, P.O. Box 20298, New York, NY 10009, Attention: Reviews**

THE IBOGAINE STORY: Report on the Staten Island Project (Autonomedia, 1997)

Reviewed by Bill Weinberg

"Has the cure for addiction been suppressed since '60s?" asks the kicker. Veterans of the Yippies, those old counterculture radicals, attempt to make the case in this new tome from Brooklyn's anarchist-oriented Autonomedia press.

Howard Lotsof claims to have discovered the addiction-interrupting effects of the African shamanic drug Ibogaine almost accidentally in the 1960s. In the 1980s, from his home on Staten Island, he launched an operation (carried out with "the same degree of secrecy as the Manhattan Project") which brought the potent psychoactive vine *iboga* from the rainforests of Gabon to European labs where it was synthesized into pharmaceutical-grade Ibogaine and supplied to Amsterdam safehouses where smack and coke addicts were brought for treatment. Once patents were secured, Lotsof and his co-conspirators--most notably renegade Yippie leader and marijuana zealot Dana Beal--took the crusade public, attempting to get Ibogaine legalized in the USA.

This book could better serve that cause if it weren't so erratic and non-linear. In 218 pages it jumps from personal ax-grinding (e.g. gossipy minutia and trashing of the Tompkins Square/ squatter scene on New York's Lower East Side) to the most esoteric mysticism, weaving together threads from the cosmology of Gabon's Bwiti people (who use *iboga* in rite-of-passage ceremonies), Jewish theology, Gnosticism, Einstein and the science fiction of Philip K. Dick. After that are six appendices--clinical studies of Ibogaine, analyses of heroin withdrawal and an effort to prove that the fabled *soma* of Vedic legend was actually harmaline (which produces effects similar to Ibogaine).

The book provides an interesting profile of a particular corner of the counterculture. Among those making cameos are Yippie Abbie Hoffman, activist attorney Bill Kunstler, Black Panther Dhoruba Bin Wahad and HIGH TIMES founder Tom Forcade (there are also numerous, generally unflattering references to current HIGH TIMES editors). New York's Black Panthers pioneered non-methadone addiction-treatments in their 1968 occupation of Lincoln Detox clinic in the Bronx, just as Lotsof and his Yippie friends were developing their theories about Ibogaine. The authors of *The Ibogaine Story* clearly want these old warriors to finally have their day of establishment acceptance. Also appearing are a slew of technocrats and researchers from the National Institute on Drug Abuse who were targetted by the Ibogaine lobby.

The book has graphics on every page, as well as reproduced press clips (on everything from Allen Ginsburg's first acid trip to the latest findings in brain chemistry) and numerous footnotes which delve into various and arcane explorations (such as tracing the theories of anti-marijuana mouthpiece Gabriel Nahas to Nazi doctors). While this makes for an interesting read, *The Ibogaine Story* would be more convincing if it kept its eye on the ball and avoided such millennialist pretensions as "Ibogaine represents the next evolution of human life..."

UPTON SINCLAIR'S *THE JUNGLE*

A 90th Anniversary Retrospective

By Bob Feldman

Among the early 20th century muckraking writers, Upton Sinclair had, perhaps, the most intense immediate impact on U.S. public opinion, after his novel, *The Jungle* was published in Manhattan 90 years ago. His target was the Beef Trust which controlled Chicago's stockyards and its meat-packing industry.

The problem which Sinclair wished to expose through his muckraking was the way the Beef Trust treated its workers under an economic system which Sinclair felt was a system of "wage-slavery." But, the result of Sinclair's muckraking work in the Chicago stockyards--his best-selling novel **The Jungle**--proved to be most effective in exposing the unsanitary way the Beef Trust packed meat for middle-class U.S. consumers. As Sinclair wrote in October, 1906:

"*I failed in my purpose...I wished to frighten the country by a picture of what the industrial masters were doing to their victims; entirely by chance I had stumbled on another discovery--what they were doing to the meat supply of the civilized world....*"

Following labor unrest in the Chicago stockyards, Sinclair had been approached by the 500,000-circulation socialist weekly newspaper *Appeal to Reason* to write, according to Sinclair, "a novel dealing with the life of those wage slaves of the Beef Trust." With the intention of writing the "*Uncle Tom's Cabin* of wage slavery," Sinclair left the east coast for Chicago's Packingtown neighborhood in the fall of 1904 and lived for 7 weeks among the workers on the $500 advance he had received from *Appeal to Reason*. During his 7 weeks in Chicago, Sinclair dressed poorly, and "with a dinner pail in his hand, he moved about everywhere in the Chicago stockyards, talking and exchanging notes with scores of workers" and "also keenly and accurately observed everything that he saw and took extensive notes," according to *Art for Social Justice: The Major Novels of Upton Sinclair* by R.N. Mookerjee.

After his return from Chicago, Sinclair then built an 8 x 10 foot cabin on a hillside near Princeton, N.J., started writing *The Jungle* on Christmas Day 1904, and finished the novel in the summer of 1905. As Sinclair wrote in the novel, the *Appeal to Reason* newspaper began publishing it in weekly installments between February 1905 and December 1905.

Because of the special influence of the Beef Trust, however, Sinclair had some difficulty in getting *The Jungle* published as a novel in book form by a mainstream book publisher and also getting a muckraking article about the Beef Trust--that was based on his research for the novel--published by a mainstream magazine publisher. When he tried to place the article in *Collier's Magazine*, its publishers hired a U.S. Army officer named Major Louis Seaman, who accepted the hospitality of the Beef Trust. Collier's publishers then printed a long article by Major Seaman praising the Chicago stockyards, but published only 3 paragraphs of the muckraking article Sinclair had previously submitted to it. According to Sinclair, *Collier's* attempted to discredit his muckraking in this way because it counted upon full-

Continued On Next Page

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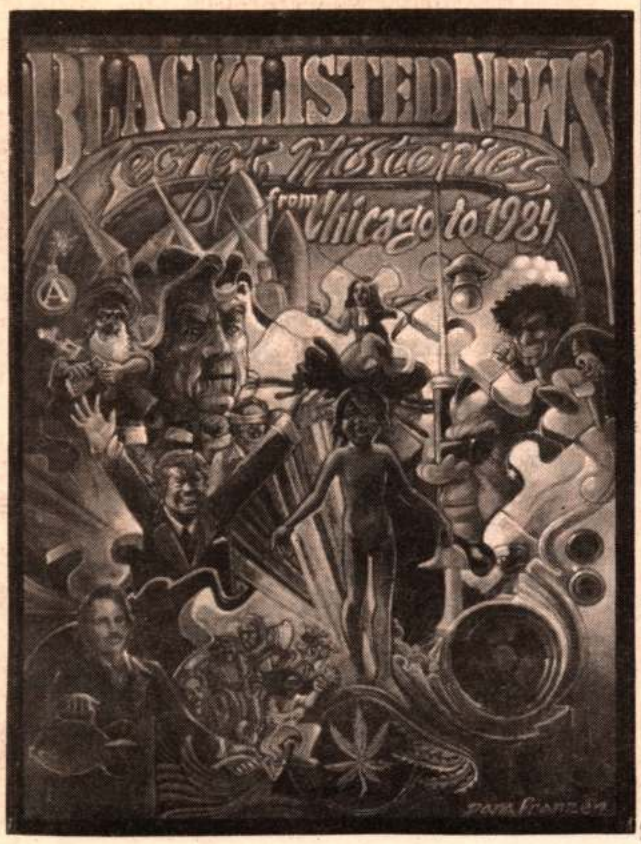

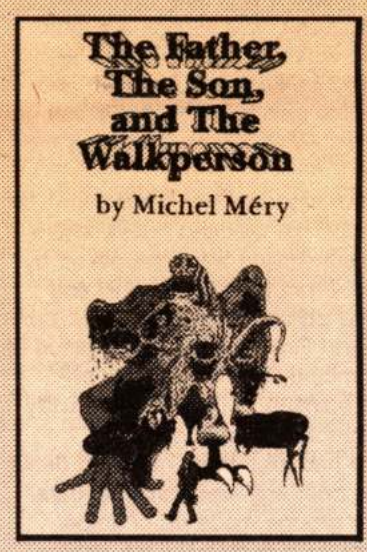

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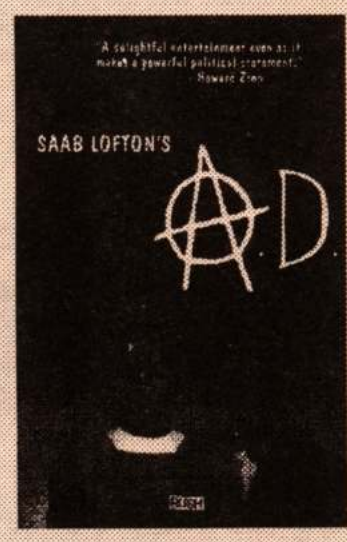

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BOOK REVIEWS

page advertisements of automobile and packing house products for its profits.

Five mainstream book publishers also refused to publish *The Jungle*, and Doubleday only agreed to publish it after it sent its own investigator to the Chicago stockyards to verify that Sinclair had written the truth about the packing industry in his novel. In an attempt to discourage Doubleday from publishing the book, *Chicago Tribune* editor James Kelley had previously mailed Doubleday a 32-page report on *The Jungle*--written by an Armour & Co. meat packing firm publicity agent, but masquerading as a confidential investigation by a *Chicago Tribune* reporter--which denied the truth of Sinclair's muckraking novel.

Following its publication in February 1906, *The Jungle* "created a sensation almost immediately and shook the entire nation in a way that few books have," according to *Art for Social Justice*. The same book observed that Sinclair's best-selling muckraking novel then produced the following results:

"The consumer was horrified to know that what was sold as 'pure beef' was in fact diseased meat unfit for human consumption...So strong was the shock and protest that President Theodore Roosevelt had to take note of these revelations...the President signed the Federal Food and Drugs Act (popularly known as the 'Pure Food Law') which became effective on June 30, 1906. To this extent Sinclair's 'muckraking' yielded positive results...*The Jungle* brought about an important piece of legislation."

But despite the dramatic impact on public opinion and the resulting legislation produced by Sinclair's muckraking novel, the Beef Trust used its special influence to neutralize both the impact on public opinion and the effectiveness of the resulting legislation. In the *Saturday Evening Post* (which was edited by a former employee of the Armours) a series of articles appeared that were signed by the head of the Armour meat-packing firm (but actually written by a staff member of the *Post*) that again questioned the truth of Sinclair's portrayal of the meat-packing firm. After reading the ghost-written article, Sinclair wrote an answering article "The Condemned Meat Packing Industry," which was published in the May 1906 issue of *Everybody's Magazine*. Sinclair's article "gave the affidavits of men whom the Armours had employed to take condemned meat out of the destructors and sell it in Chicago," "told the story of how the Armours had bribed these men to reconstruct their confession" and cited the reports of State health authorities who "showed how the Armours had pleaded guilty to adulterating foods," Sinclair recalled in The *Brass Check: A Study of American Journalism*.

In *The Brass Check*, however, Sinclair noted that his follow-up muckraking article, "The Condemned Meat-Packing Industry" made little impact on public opinion because most U.S. newspapers did not wish to crusade anymore against the abuses of the Beef Trust, despite the popularity of *The Jungle*:

"It was my first complete test of American Journalism...I had expected that every newspaper which boasts of public spirit would take up these charges, at least report them, but instead of that, there was silence--silence almost complete!...Of all the newspapers in America, not one in two hundred went so far as to mention "The Condemned Meat Industry."

Sinclair also noted that the packers paid $500 to an advertising writer named Elbert Hubbard to write an attack on *The Jungle*, which was then "reprinted by the Chicago packers and mailed out to the extent of a million copies and to every clergyman and every physician in the country."

Although Sinclair remained "determined to get something done about 'The Condemned Meat Industry'" and "was determined to get something done about the atrocious conditions under which men, women, and children were working in the Chicago stockyards," he felt he was unable to accomplish very much. The reason, Sinclair asserts in *The Brass Check* was that he was "like an animal in a cage" whose "bars" were "newspapers, which stood between me and the public" by not mentioning his "The Condemned Meat Industry" article.

Although a direct appeal by Sinclair to President Theodore Roosevelt helped lead to passage of the Federal Food and Drug Act, Sinclair later minimized the significance of the reform law on the U.S. meat-packing industry. He felt that "the lobbyists of the packers had their way in Washington" so "the meat inspection bill was deprived of all its sharpest teeth." Sinclair also argued that although the publication of his muckraking novel on the Beef Trust "caused the whitewashing of some packing-house walls," the "wage-slaves" still remained in the huge brick packing houses exactly where they were before."

Sinclair thus concluded that no real improvement in either the way the Beef Trust treated its workers or the cleanliness of the meat it packed for consumers was actually achieved as a result of what he exposed in *The Jungle*. He felt that, despite the huge commercial success of *The Jungle* on the U.S. literary market, "the public had been fooled into believing that there had been reforms in Packingtown," although "the public was continuing to eat tubercular beef steaks" and "the wage slaves of Packingtown were still being sweated and bled."

Electronic Civil Disobedience (and Other Unpopular Ideas)

Critical Art Ensemble
Autonomedia, Anti-Copyright 1996
Reviewed by A. Kronstadt

Electronic Civil Disobedience (*ECD*) is not for those who crave an orderly presentation of ideas. This treatise by the Critical Art Ensemble rambles so much that you can start reading *ECD* at the beginning, middle, or end and you can read any part of separately from any other. I kept this book around for several days (in the bathroom atop my pile of R. Crumb comix) and read passages of it at random, which indeed is the proper spirit in which to read a book that jumps among such diverse subjects as "bunker disruption," "the hacker/activism schism," "nomadic resistance," and other theoretical constructs. That's the thing about this book; its so theoretical. Don't expect technical information about how to design dissident Web sites or crash your landlord's computer. It is a ranting essay where a group of people give their vision of the future and how arty people like themselves fit into it.

The best anarchist books out there are the ones that have lots of pictures, and in spite of its wordiness, *ECD* is spiced with some trippy transmogrifications of corporate icons, like the Coca Cola logo superimposed over a fuzzy scan of the moon as middle amerika looks on adoringly. In the middle of the book there is a picture of a geezer barbering his nostrils with a Panasonic nose-hair trimmer; this panel introduces a chapter entitled "The Technology of Uselessness," which also has images of nuclear weapons juxtaposed with towel warmers and electric potato peelers. If you don't think of *ECD* as a manual for revolution and look at it in its funky bohemian spirit, you can enjoy this book. In other words, don't take it too seriously because it was obviously not written by Jean-Paul Sartre.

Basically, the idea that ties *ECD* together is that street resistance or traditional civil disobediance as practiced in the 1960s is obsolete. Rebellion in the streets has become passé because the streets and the cities no longer have the socioeconomic weight that they had 30 or 40 years ago. The big money is now in cyberspace, and a new avant-garde of digital intelligentsia must match wits with the corporate cyber-monolith. Society, according to *ECD*, has become "bunkered," i.e., redesigned so that the physical uprising of the masses looked to by revolutionaries of the past will not work. Nowadays, if the banks are stormed the bankers will just send the money someplace else electronically. Hence, resistance must take on a "nomadic form" and "disturb the bunkers"--the Critical Art Ensemble goes to "locations of extreme consumption" and set up an area where they play with toy cars. They attract a crowd, which results in a confrontation with security guards and a near-arrest, shocking the crowd into realizing that a petty act of arty exuberance can provoke such a violet and narrow-minded response from the owners of property. In many ways, the philosophy expounded in *ECD* is similar to that of Guy Debord and the Situationists, who believed in creating street theater to disrupt the "spectacle" by which people are hypnotized in capitalist society. It's curious that a book called *Electronic Civil Disobedience*, which insists the street has lost its importance to cyberspace should advocate something as old-fashioned as guerilla theater. *ECD* is not a book for computer geeks but for arty, postmodern bohemians. Rail as it does at the postmodernists for their abandonment of the Avant-Garde faith, there is a postmodern streak in *ECD*. By postulating that the old socialist/anarchist emphasis on political action in the streets is no longer relevent, they reduce politics to an artsy-fartsy level and end up writing rambling books that are very hard to follow.

So there is a theme at the root of *Electronic Civil Disobedience*, but don't expect to find it expressed in a linear fashion. Think of *ECD* as a kind of bizarre, individualist screed a la William Burroughs, or even a cult film, but don't expect it to give birth to a new Zeitgeist.

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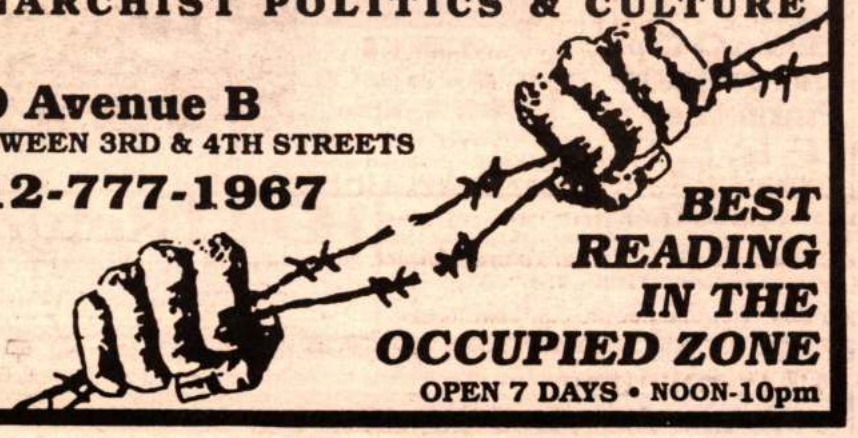

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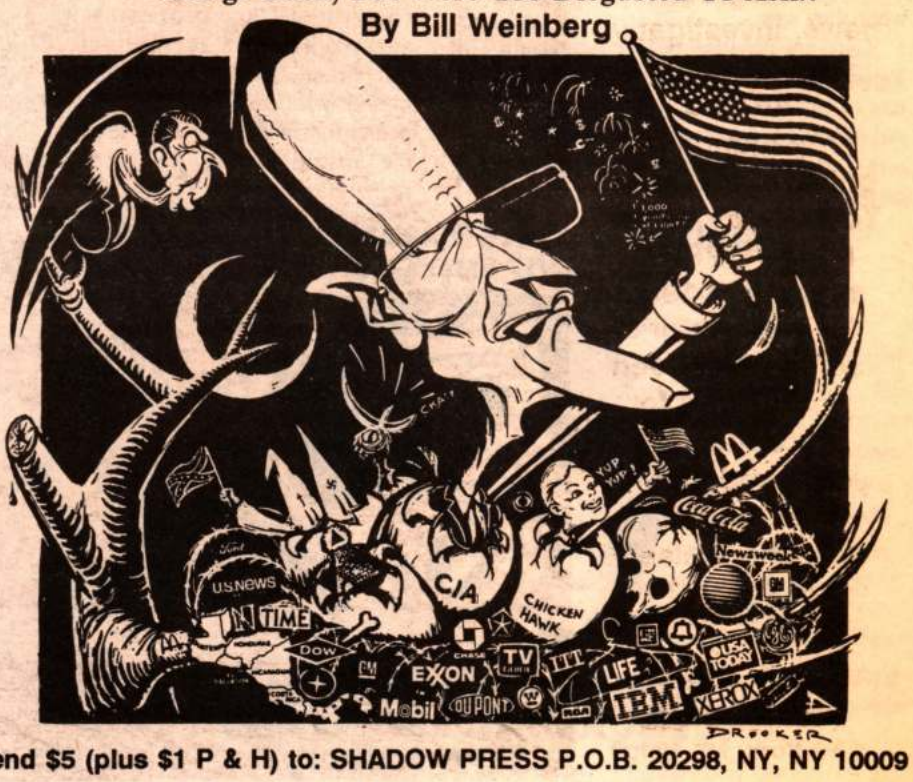

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NARCO-TERRORISM....

Continued From Page 10

On April 28, 1994, Police Chief Federico Benitez, who headed his own investigation of the assassination, was shot dead while responding to a bomb hoax at the city's airport.

Mario Aburto, alleged gunman in the Colosio case, is now serving a 45-year sentence. The government has dropped investigations into accomplices and closed ranks around the lone assassin theory--despite an initial broader probe sparked by a video of the killing which appears to show Grupo Tucan men clearing a path for the gunman. Earlier arrests in the case--including of top Tijuana *PRIistas* such as **José Rodolfo Rivapalacio**, an ex-State Judicial Police investigator with a reputation for torture--were released one by one.

Eduardo Valle (aka "El Bujo," the owl), a PGR investigator working on the drug cartels, fled to the United States after the Colosio killing and started claiming that drug lords and PRI officials were behind the hit. Valle claimed Colosio had earned the wrath of both the cartels and Carlos Salinas (who had, in PRI tradition, personally selected Colosio as his successor) by acting too independently--even having the Garcia Abrego brothers ejected by security men from a Monterrey fundraiser. Following the Ruiz Massieu murder, El Bujo detailed how cartel pay-offs were passed up the ladder from police and border officials to Ruiz Massieu coffers.

The Federal Judicial Police (PJF) on the Tijuana Cartel's turf are equally co-opted. In November 1995, the entire force in the state of Baja California Sur was rotated out after witnesses reported seeing a detachment of uniformed PJF agents unloading tons of cocaine from a disabled jet in the desert—and then using bulldozers to dismantle and bury the jet.

PLOT THICKENS IN POSADAS CASE

In May 1996, an arrest was finally made in the May 1993 killing of **Cardinal Juan Jesus Posadas Ocampo**, the Archbishop of Guadalajara who was gunned down in his car at the city's airport. He had previously been Bishop of Tijuana, and was an outspoken foe of the Cartel. One **Alvaro Osorio Osuna ("El Nahual," the evil spirit)**, an alleged Cartel agent, is the accused assassin. But that same month, new Guadalajara Archbishop **Juan Sandoval Iñiguez** went on national TV to demand that Carlos Salinas be investigated in the killing of his predecessor. He claimed that baggage handlers and other airport witnesses had been threatened by police to keep quiet about what they saw.

Cardinal Posadas' personal assistant **Felisa Sanchez** now accuses Carlos Salinas of ordering the murder because the Archbishop knew to much about the Tijuana Cartel's involvement at the top levels of power.

MILITARIZATION ESCALATES

Frequent high-level meetings between Gen. McCaffrey and top Mexican officials continue to coordinate Drug War strategy. McCaffrey, a top Pentagon strategist of "narco-terrorism" as the new post-Communist threat in Latin America, has been guiding Mexico's Drug War militarization.

In 1997, the US will grant Mexico up to $37 million in helicopters and surveillance aircraft, and an additional $10 million for command-and-control electronics. Increasingly, this equipment is going to the federal army, rather than the police. Last October, US Defense Secretary **William Perry** met with his Mexican counterpart, **Gen. Enrique Cervantes Aguirre**, to discuss a $70 million loan to beef up Mexico's radar system, and a doubling of the Pentagon's $500,000 budget for training Mexican officers at US military schools, including the notorious School of the Americas at Ft. Benning, GA (imprisoned Panamanian narco-dictator **Gen. Manuel Noriega**'s alma mater).

The pro-militarization argument is that the army is less corrupt than the police. Conveniently forgotten are such incidents as that on the Veracruz coast in November 1991, when an aircraft tracked by US surveillance was intercepted upon landing by alerted PJF agents--only to find that the remote airstrip was being guarded by over 100 army troops. In the ensuing three-hour shootout, seven PJF officers were killed and the smugglers escaped.

Mexico's new revolutionary movements are feeling the military pressure more than the ultra-rich cartel *jefes*. In Chiapas, the federal army's anti-drug Rainbow Taskforce is infiltrating territory controlled by the rebel Zapatista National Liberation Army (EZLN). In a January 24 EZLN communique, **Subcomandante Marcos** warned: "The pre-military campaign of the government has begun. The Mexican federal army is saturating its barracks with troops and armaments; the military patrols have doubled in size; planes and helicopters are practicing time and again for the surgical attack; the public ministers are preparing to count the captured and dead. The division leaders of the Rainbow Taskforce have their orders sitting on their desk..."

In Guerrero and Oaxaca, now hotbeds of support for the new Popular Revolutionary Army (EPR) rebels, the army is also phasing out police to fight narco-gangs and guerillas in the mountains.

Airport and border security is also coming under army control following increasingly blatant Cartel use of airlines to ferry their product. In January 1995, a coke-laden 727 touched down at a Jalisco airport operated by Taesa, the elite Mexican airline favored by millionaires and bigshot politicians. Taesa personnel told police that gunmen forced them to light the airstrip for the jet, then released them after the cargo was unloaded. Taesa was founded in 1988 by **Carlos Hank Jr.**, the son and business manager of Mexican billionaire **Carlos Hank Sr.** who was Agriculture Secretary in the the Salinas administration.

In another embarrassment, less than a month after the arrest of Gen. Gutierrez, chief of an army anti-narco intelligence unit in Guadalajara, **Brig. Gen. Alfredo Navarro Lara**, was arrested on charges of offering a $1 million-a-month bribe to another brigadier general in Baja California on behalf of the Tijuana Cartel--and threatening to have his family killed if he refused.

NARCO-NAFTA

In March, the Clinton Administration came under harsh criticism for "certifying" Mexico to receive US aid as a cooperative Drug War ally, while Colombia was "decertified" for a second year in a row. But the political reality is that Colombia was decertified because the action has really moved to Mexico.

Colombian President **Ernesto Samper** has outlived his usefulness to the CIA/DEA/Pentagon, just like the far greater political criminal Noriega before him.

In the '80s, the CIA worked hand-in-glove with Noriega and Colombia's Medellin Cartel to overthrow the Sandinistas in Nicaragua, with Central America as the main transshipment route for coke going north and guns going south. After the Contragate scandal broke, Noriega became more useful as a scapegoat than a client, Panama was invaded and the puppet regime of Guillermo Endara installed. Endara immediately jumped in bed with the rival Cali Cartel, moving more coke and dirty money through Panama than Noriega ever did. Simultaneously, the CIA, DEA and Colombian government were working hand-in-glove with the Cali Cartel front group **People Persecuted by Pablo Escobar** (PEPE) to hunt down and kill the Medellin Cartel kingpins. The Medellin Cartel collapsed, the Cali Cartel became the new top dog and, with the compliant cash-starved outlaw regime of **Raul Cedras** in power in Haiti, the Caribbean became the new top transshipment route. Colombia's new President Samper was cut loose by Washington, and to get back in Uncle Sam's good graces launched a far-reaching crackdown on the Cali bosses.

But by then NAFTA was in effect, and the collapse of the Cali Cartel combined with the loosening of trade restrictions along the US-Mexican border led to the rise of Mexico as the new top transshipment route--and the rise of the Mexican mafia as the new boss of the hemispheric coke trade. Now, for the first time, the top hemispheric cartel is not in the producer country of Colombia at all, but in the transshipment country of Mexico--in fact, in Tijuana, just a few miles south of San Diego!

"The Mexicans are now the single most powerful trafficking groups," DEA chief **Thomas Constantine** recently admitted to *US News & World Report*.

This reality--combined with the rise of revolutionary movements like the Zapatistas--meant that, empty threats and bluster-for-public-consumption aside, there was no way in hell Clinton was going to decertify Mexico.

Washington can afford to allow chaos to spread in Colombia (where the US-mandated spraying has resulted in rural uprisings by coca-producing campesinos and growing support for guerillas) until the quasi-populist Samper is ousted. The Mexican regime, meanwhile, is completely compliant with US mandates and far more strategic to US interests. Maintaining "stability" in Mexico through escalating "anti-drug" militarization is a necessity, despite the obvious reality that the Mexican regime is, if anything, even more ensconced in the coke trade than the Colombian.

Samper engaged in his own little charade with a display of defiance to Uncle Sam by announcing that he would suspend coca-eradication aerial spraying just after the 1997 "decertification" decision--followed one day later by abject capitulation, agreeing to resume the spraying.

Republican US Congressmen, especially from border states, made a charade of standing up to Clinton by threatening to override the Mexico certification--then similarly backed down by settling for a non-binding vote.

Mariano Herran Salvatti, a local prosecutor and comparative lightweight appointed to fill the shoes of the arrested Gen. Gutiérrez as Mexican Drug Czar, announced his own charade: a new program of toxological, psychological and polygraph tests designed to prove agents' honesty and loyalty.

Clinton and McCaffrey completed the charade by making much of his appointment as evidence that Mexico has entered a new era of fighting corruption. ,

As human rights violations escalate, more US money and weapons flow into the coffers of the Mexican state.

All this just goes to demonstrate that the Drug War has replaced the Cold War as the new propaganda cover for maintaining Yankee power over Latin America (just as the Cold War replaced Manifest Destiny). As Barry McCaffrey told *US News & World Report* in reference to the Mexico Drug War: "We're talking about a decade-long effort."

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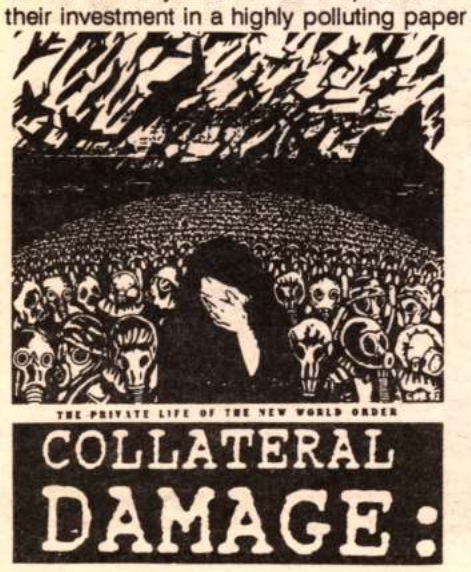

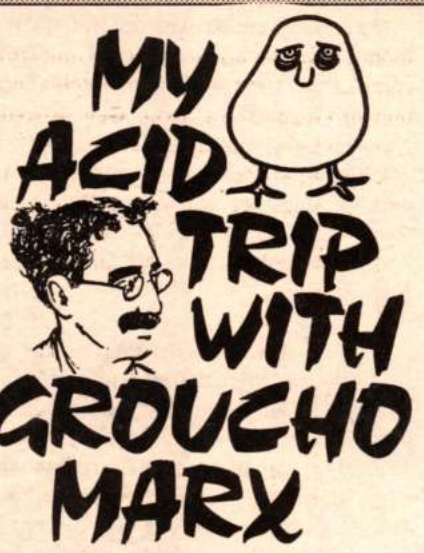

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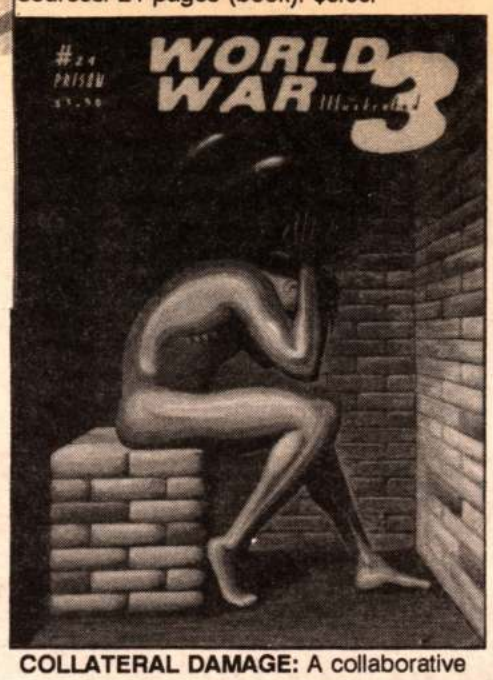

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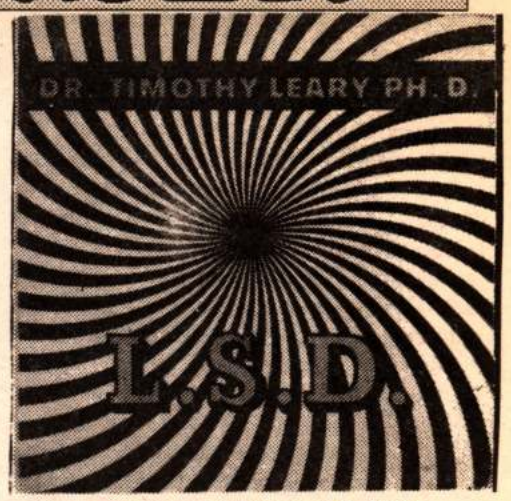

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In the '60s, Krassner ran an underground abortion referral service, ingested LSD with Tim Leary, Ram Dass and Ken Kesey, and co-founded the Yippies with Abbie Hoffman and Jerry Rubin. In the '90s, his autobiography was published, he's working on a novel, and he performs political satire. His album, *We Have Ways of Making You Laugh*, is released by Mercury Records, with another on the way, *Brain Damage Control*. An anthology of his satiric writings, *The Winner of the Slow Bicycle Race*, with a foreword by Kurt Vonnegut, is published by Seven Stories Press.

Recently, radio personality Don Imus called Paul Krassner "one of the comic geniuses of the 20th century." At first, Krassner thought this was intended as a compliment, but then he realized that Imus *really* meant that he only has a few good years left. So, in an act of sheer perversity, Krassner decided to publish just 13 more issues of *The Realist*.

Two of those issues have already been published. One features the complete transcripts of "reformed politician" Jerry Brown's interviews with Gore Vidal and Ralph Nader. The other features "The Parts Left Out of the Larry Flynt Movie." (When Flynt became a born-again Christian, he hired Krassner, who had received the Feminist Party Media Workshop Award, to reform *Hustler*. Said Krassner, "To bring *me* in as redeeming social value is an offer too absurd to refuse.") Also included: Lynn Phillips' incisive satire of same-sex-marriage opponents; Harry Shearer's censored ABC commentary on the CIA and crack cocaine.

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